

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND  
 URBAN DEVELOPMENT, AND RELATED AGENCIES AP-  
 PROPRIATIONS BILL, 2020

JUNE 6, 2019.—Committed to the Committee of the Whole House on the State of  
 the Union and ordered to be printed

Mr. PRICE of North Carolina, from the Committee on  
 Appropriations, submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 3163]

The Committee on Appropriations submits the following report in  
 explanation of the accompanying bill making appropriations for the  
 Departments of Transportation, Housing and Urban Development,  
 and related agencies for the fiscal year ending September 30, 2020.

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PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2020, for the purposes of the Balanced Budget  
 and Emergency Deficit Control Act of 1985 (Public Law 99-177), as  
 amended, with respect to appropriations contained in the accom-  
 panying bill, the terms “program, project, and activity” (PPA) shall  
 mean any item for which a dollar amount is contained in approp-  
 riations acts (including joint resolutions providing continuing ap-

propriations) and accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. This definition shall apply to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants and discretionary grant allocations made through either bill or report language.

The Committee directs the Departments and agencies funded by this bill to address each number listed in the reports in their respective operating plans and warns that efforts to operate programs at levels contrary to the levels recommended and directed in these reports would not be advised.

#### OPERATING PLANS AND REPROGRAMMING GUIDELINES

The Committee includes a provision (Sec. 405) establishing the authority by which funding available to the agencies funded by this Act may be reprogrammed for other purposes. The provision specifically requires the advance approval of the House and Senate Committees on Appropriations of any proposal to reprogram funds that:

- creates a new program;
- eliminates a program, project, or activity (PPA);
- increases funds or personnel for any PPA for which funds have been denied or restricted by the Congress;
  - redirects funds that were directed in such reports for a specific activity to a different purpose;
  - augments an existing PPA in excess of \$5,000,000 or 10 percent, whichever is less;
  - reduces an existing PPA by \$5,000,000 or 10 percent, whichever is less; or
  - creates, reorganizes, or restructures offices different from the congressional budget justifications or the table at the end of the Committee report, whichever is more detailed.

The Committee retains the requirement that each agency submit an operating plan to the House and Senate Committees on Appropriations not later than 60 days after enactment of this Act to establish the baseline for application of reprogramming and transfer authorities provided in this Act. Specifically, each agency must provide a table for each appropriation with columns displaying the budget request; adjustments made by Congress; adjustments for rescissions, if appropriate; and the fiscal year enacted level. The table shall delineate the appropriation both by object class and by PPA. The report also must identify items of special Congressional interest. In certain instances, the Committee may direct the agency to submit a revised operating plan for approval or may direct changes to the operating plan if the plan is not consistent with the directives of the conference report and statement of the managers.

The Committee expects the agencies and bureaus to submit reprogramming requests in a timely manner and to provide a thorough explanation of the proposed reallocations, including a detailed justification of increases and reductions and the specific impact of proposed changes on the budget request for the following fiscal year. Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. Reprogramming procedures

shall apply to funds provided in this Act, unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2020, and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2020.

The Committee expects each agency to manage its programs and activities within the amounts appropriated by Congress. The Committee reminds agencies that reprogramming requests should be submitted only in the case of an unforeseeable emergency or a situation that could not have been anticipated when formulating the budget request for the current fiscal year. Except in emergency situations, reprogramming requests should be submitted no later than June 30, 2020. Further, the Committee notes that when a Department or agency submits a reprogramming or transfer request to the Committees on Appropriations and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding and, if reconciliation is not possible, to consider the request to reprogram funds unapproved.

The Committee would also like to clarify that this section applies to working capital funds of both the Department of Transportation (DOT) and Department of Housing and Urban Development (HUD) and that no funds may be obligated from working capital fund accounts to augment programs, projects, or activities for which appropriations have been specifically rejected by the Congress, or to increase funds or personnel for any PPA above the amounts appropriated by this Act.

### CONGRESSIONAL BUDGET JUSTIFICATIONS

Budget justifications are the primary tool used by the House and Senate Committees on Appropriations to evaluate the resource requirements and fiscal needs of agencies. The Committee is aware that the format and presentation of budget materials is largely left to the agency within presentation objectives set forth by the Office of Management and Budget (OMB). In fact, OMB Circular A-11, part 1 specifically instructs agencies to consult with congressional committees beforehand. The Committee expects that all agencies funded under this Act will heed this directive.

The Committee expects all of the budget justifications to provide the data needed to make appropriate and meaningful funding decisions. The Committee continues the direction that justifications submitted with the fiscal year 2021 budget request by agencies funded under this Act contain the customary level of detailed data and explanatory statements to support the appropriations requests at the level of detail contained in the funding table included at the end of this report. Among other items, agencies shall provide a detailed discussion of proposed new initiatives, proposed changes in the agency's financial plan from prior year enactment, detailed data on all programs, and comprehensive information on any office or agency restructurings. At a minimum, each agency must also provide adequate justification for funding and staffing changes for each individual office and materials that compare programs, projects, and activities that are proposed for fiscal year 2021 to the fiscal year 2020 enacted levels.

The Committee is aware that the analytical materials required for review by the Committee are unique to each agency in this Act. Therefore, the Committee expects that each agency will coordinate with the House and Senate Committees on Appropriations in advance on its planned presentation for its budget justification materials in support of the fiscal year 2021 budget request.

#### OTHER MATTERS

The Committee directs each of the Departments and agencies funded by this Act to identify opportunities to prioritize resilience, equity, regional efforts, and robust stakeholder engagement.

*Resiliency.*—The Committee believes that every new construction or major rehabilitation project funded by this Act should be constructed to the most current relevant standards and that these projects should address the risk of structure failure or loss of use from natural hazards throughout the lifetime of the project. As a measure of responsible fiscal prudence, resilient construction and land management practices should be integrated into every program funded by this Act.

*Performance measures.*—The Committee directs each of the Departments and agencies funded by this Act to comply with title 31 of the United States Code including the development of their organizational priority goals and outcomes such as performance outcome measures, output measures, efficiency measures, and customer service measures.

*Customer service.*—The Committee continues to support efforts to improve customer service in accordance with Executive Order 13571. The Committee directs all Departments and agencies funded by this Act to develop standards to improve customer service and incorporate the standards into the performance plans required under title 31 of the United States Code. Further, the Committee recognizes not all Departments and agencies are subject to Executive Order 13571. For such Departments and agencies funded by this Act, the Committee directs the Departments and agencies to make continuous improvements and adopt best practices for improving customer service.

*Regional councils of government.*—The Committee recommends that all Departments and agencies funded by this Act list regional councils and councils of governments as eligible entities in competitions for Federal funding whenever local governments or non-profit agencies are eligible entities. Furthermore, it is the desire of the Committee that all Departments and agencies actively seek opportunities for regional councils and councils of governments to serve as lead applicants and grantees in order to encourage and expand greater regional collaboration. In the competitive grants process, all Departments and agencies should work with entities having previous experience with administering Federal funding that resulted in successful, comprehensive, well-coordinated outcomes. Further, all Departments and agencies should encourage regional systems planning and coordination to ensure more efficient and expeditious development of systems needed to sustain regional growth, economic prosperity, and global competitiveness.

*Native plant preference.*—In undertaking a land management activity on lands under the jurisdiction of any of the Departments or agencies funded by this Act, including maintenance and restoration

in response to degradation caused by human activity or natural events (such as fire, flood, or infestation), the Committee directs that it be the policy of the aforementioned agencies that preference shall be made, to the extent practicable, for the use of locally adapted native plant materials.

*Contracting.*—As the largest advertiser in the United States, the Federal government should work to ensure fair access to its advertising contracts for small, disadvantaged businesses and businesses owned by minorities and women. The Committee directs each Department and agency funded by this Act to include the following information in its fiscal year 2021 budget justification: expenditures for fiscal year 2019 and expected expenditures for fiscal year 2021, respectively, for (1) all contracts for advertising services; and (2) contracts for the advertising services of all Small Business Administration-recognized socioeconomic subcategory-certified small businesses, as defined in the Small Business Act, and minority-owned businesses.

*First aid kit enhancements.*—The Committee is aware that first aid products endorsed by the Department of Defense's Committee on Tactical Combat Casualty Care (CoTCCC) help reduce death or trauma as a result of bleeding. To improve outcomes in crisis situations, the Committee encourages the Departments and agencies funded by this Act to incorporate CoTCCC supported dressings in first aid kits.

*Targeted investments in impoverished areas.*—The Committee supports targeted investments in impoverished areas, particularly in persistent poverty counties and in other high-poverty census tracts. To understand how programs funded through the Departments and agencies funded by this Act are serving these particular areas, the Committee directs the Departments and agencies to submit a report to the House and Senate Committees on Appropriations on the percentage of funds allocated by each program in fiscal years 2017, 2018, and 2019 and estimates for fiscal year 2020 to serve populations living in persistent poverty counties, as defined as a county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty estimates, and high-poverty areas, as defined as any census tract with a poverty rate of at least 20 percent as measured by the 2013–2017 five-year data series available from the American Community Survey of the Census Bureau. The Departments and agencies shall report this information to the Committees within 90 days of such data being available and provide a briefing to the Committees no later than 180 days of enactment of this Act on how the Departments and agencies are carrying out this directive.

*Fair access to science and technology research.*—The Committee applauds the progress made by the White House Office of Science and Technology Policy (OSTP) on the Department and agency public access plans required by the February 22, 2013 Memorandum on Increasing Access to the Results of Federally Funded Scientific Research. The Committee understands that 22 Departments and agencies with annual expenditures on research and development of \$100,000,000 or more have completed their public access plans for increasing access to peer reviewed scholarly publications and digital data resulting from Federally funded research. The Committee

encourages OSTP to continue its efforts to coordinate the implementation of public access policies across all Departments and agencies funded by this Act and to identify additional opportunities to enhance access to the results of Federally funded research. The Committee urges OSTP to report on an annual basis on the progress of all Departments and agencies funded by this Act in implementing their public access plans, including relevant measures of progress, and on additional steps being taken to improve access to the results of Federally funded research.

*MEGABYTE Act.*—The Government Accountability Office (GAO) has repeatedly identified software acquisition and licensing as high-risk due to significant vulnerabilities to fraud, waste, abuse, and mismanagement. The Committee notes that HUD received a failing grade on the most recent Oversight and Government Reform Committee’s Biannual FITARA Scorecard for software licensing, while DOT has made significant improvements. The Committee directs the Departments and agencies funded by this Act to prioritize the management of software licenses, including inventory and analysis of usage, as required by the MEGABYTE Act (P.L. 114–210).

*Tribal consultation.*—The GAO recently completed a review of Federal agencies’ processes for consulting with Indian tribes and Alaska Native corporations on infrastructure projects and related activities, such as permitting, which may impact tribal natural and cultural resources. The Committee supports strong tribal consultation, and directs the Departments funded by this Act to prioritize implementing the GAO recommendations.

## TITLE I—DEPARTMENT OF TRANSPORTATION

### OFFICE OF THE SECRETARY

#### SALARIES AND EXPENSES

Appropriation, fiscal year 2019 .....	\$113,910,000
Budget request, fiscal year 2020 .....	117,993,000
Recommended in the bill .....	113,910,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	— —
Budget request, fiscal year 2020 .....	– 4,083,000

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

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

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

*Office of the Under Secretary of Transportation for Policy.*—The Office of the Under Secretary of Transportation for Policy serves as the Department’s chief policy officer, and is responsible for the coordination and development of departmental policy and legislative initiatives; international standards development and harmonization; aviation and other transportation-related trade negotia-

tions; the performance of policy and economic analysis; and the execution of the Essential Air Service program.

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

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

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

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

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

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

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

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$113,910,000 for the salaries and expenses of the offices comprising the Office of the Secretary of Transportation. The Committee's recommendation includes individual funding for each office as has been done in prior years.

*Operating plan.*—The Committee directs the Department to submit an operating plan for fiscal year 2020 signed by the Secretary for review by the House and Senate Committees on Appropriations within 60 days of the enactment of this Act. The operating plan should include funding levels for the various offices, programs, and initiatives detailed down to the object class or program element covered in the budget justification and supporting documents, documents referenced in the House and Senate reports, and the statement of the managers (i.e. not simply the activities called out in bill language). Should the Department create, alter, discontinue, or otherwise change any program as described in the Department's budget justification, those changes must be a part of the Department's operating plan. Finally, the Department shall submit with the operating plan a summary of the DOT reporting requirements contained in this Act, the House and Senate reports, and the statement of the managers. The summary should include Inspector General and Government Accountability Office reports as well.

*Green infrastructure for rail transportation hubs.*—The Committee encourages the Secretary to allow slow green infrastructure

on or near rail transportation hubs to be eligible for Federal funding administered by the Department. This includes, but is not limited to, activities that would increase green space surrounding the structure such as urban trees, vegetation, and enhanced streetscapes. These elements not only provide opportunities to mitigate transportation pollution, improve air quality, and control storm water runoff but in some cases could also provide or enhance the structure's security elements and help conserve and reduce the structure's energy use.

*Open skies.*—The Committee continues to urge the Department to take steps to ensure that U.S. airline carriers and their workers have a fair and equal opportunity to compete in accordance with open skies agreements with foreign governments. The Committee notes that DOT worked with the State Department to reach recent memorandums of agreement with foreign governments to ensure transparency, accountability, and enforcement remain important tenets of open skies agreements. The Committee directs the Department to continue to proactively work with the State Department to take appropriate action with any foreign governments where government subsidies have resulted in market distortion. The Committee directs the Department to provide regular updates to the Committee on their activities related to the fair enforcement of open skies agreements.

*3D Elevation Program (3DEP).*—3DEP is a national program managed by the U.S. Geological Survey to acquire high-resolution elevation data. The Committee understands the use of 3DEP data in infrastructure projects and construction management could increase safety and reduce costs, with applications such as spanning route, grade, line-of-sight, and utility surveys and corridor mapping; terrain and obstruction identification for aviation; evaluation of geologic, coastal, and other natural hazards; dam, levee, and coastal-structure failure modeling and mitigation; hydraulic and hydrologic modeling; drainage and cut-and-fill issues; and analysis of vegetation and topographic features. While the Committee recognizes the Department is an active participant in the 3DEP Executive Forum, the Committee encourages the Department to develop an efficient, systematic approach to acquiring foundational 3DEP data to support the work of all modal administrations.

*Transportation accessibility.*—The Committee understands the Department and some States and metropolitan planning organizations have undertaken efforts to measure accessibility or multimodal connectivity, and that more work is needed in this area. Therefore, the Committee encourages the Secretary, in coordination with the Federal Highway Administration and Federal Transit Administration, to review and analyze policies which could be used by States, metropolitan planning organizations, transit agencies, and others to improve accessibility. This review should include the degree to which transportation systems provide multimodal connections to economic opportunities, healthcare services, child care services, education and workforce training services, particularly for disadvantaged populations, and other services. The Committee directs the Department to brief the House and Senate Committees on Appropriations within 120 days of enactment of this Act on the review and potential recommendations to achieve accessibility.



*Advanced technologies.*—The Committee believes the Department should work with stakeholders to analyze the best methods to improve infrastructure while implementing next generation, technologically advanced updates to modernize the nation’s infrastructure. The Committee encourages the Department to prioritize advanced technology while addressing infrastructure needs.

*Dig once.*—The Committee recognizes that the Federal Highway Administration encourages States to work with service providers on joint highway and utility planning to help minimize the excavation of roadways. However, the Committee believes more work is needed to better coordinate transportation projects with the installation, upgrade, or repair of water, broadband, and other utility transmission lines. The Committee encourages the Department to provide additional support to recipients of Federal funding to facilitate communication with public and private utility providers when planning transportation projects. This should include providing lessons learned from projects which have implemented “dig once” measures.

*Smart cities.*—The Committee recognizes the leadership and support the Department has provided through the Smart City Challenge Program, which has resulted in community-driven advanced technology transportation projects. The Committee encourages the Department to ensure the program reaches a successful conclusion, and to identify program elements and characteristics which could be applied to large urban areas and small or rural communities.

Further, the Committee urges the Department to create incentives for urban and rural communities to use advanced data and intelligent transportation systems technologies to improve their transportation network through existing competitive grant programs. The Department should engage with local communities, metropolitan planning organizations, and regional transportation commissions on these innovative technological solutions and other “smart cities” concepts.

*Infrastructure coordinator.*—Mexico is the United States’ third largest trading partner. The Committee supports strengthening coordination between the Department and other relevant Federal agencies to improve freight infrastructure development at the southwest border, which is critical to maintaining this bilateral trade relationship. Therefore, the Committee directs the Department to work with the General Services Administration, the Department of Homeland Security, and other relevant agencies to designate a lead infrastructure coordinator to facilitate more efficient development of infrastructure projects and to coordinate with his or her counterpart in the Mexican government. The Committee directs the Department to submit a report to the House and Senate Committees on Appropriations within 60 days of the enactment of this Act on its efforts in this regard.

*National Special Security Events (NSSE).*—The President or Secretary of Homeland Security may designate major Federal government or public events that are considered to be nationally significant as National Special Security Events. The Committee recognizes such events can pose transportation challenges for the regions that are hosting NSSEs and impact surrounding areas. While some NSSEs are designated with very little notice others are designated months or years in advance. The Committee believes

NSSEs represent unique opportunities to transform and revitalize local and regional transportation systems, such as public transit, highway, multimodal, and aviation infrastructure. Therefore, the Committee encourages the Department to work with local and State governments preparing to host an NSSE to assess the transportation improvements and needs associated with the event, and to provide technical assistance as appropriate.

*Value capture.*—The Committee recognizes the use of value capture as a tool for economic development and as a non-Federal source of funding for transportation infrastructure, such as transit and passenger rail projects. The Committee encourages the Department to improve the dissemination of information and education of guidance on the use of value capture, and to provide technical assistance as appropriate.

RESEARCH AND TECHNOLOGY

Appropriation, fiscal year 2019 .....	\$8,471,000
Budget request, fiscal year 2020 .....	22,000,000
Recommended in the bill .....	42,948,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+34,477,000
Budget request, fiscal year 2020 .....	+20,948,000

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

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$42,948,000 for research and technology activities. The following table provides funding levels for activities within this account.

	Request	Recommendation
Transportation Resilience Metrics Study .....	---	\$1,000,000
Highly Automated Systems Safety Center of Excellence .....	---	10,000,000
University Transportation Centers .....	---	15,000,000

*Transportation resilience metrics study.*—The Committee believes that new construction or major rehabilitation projects funded by the Department through formula and competitive grant programs should be constructed to the most current relevant standards and address the risk of structural failure or loss of use from natural hazards throughout the lifetime of the project. To achieve this, additional research is needed to establish approaches to measuring the resilience of transportation systems. Therefore, the Committee directs the Secretary to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study through the Transportation Research Board on effective ways to measure the resilience of transportation systems and services to

natural disasters and hazards. For the purposes of this study, the Committee urges the Department to take an all-encompassing view of natural disasters and hazards, including but not limited to, extreme weather events, hurricanes, floods, wildfires, heat waves, high winds, and changes in the freeze-thaw patterns.

*Highly Automated Systems Safety Center of Excellence (COE).*—Advanced technologies are rapidly transforming the national transportation system, and are already critical components in airplanes, trains, and motor vehicles. In recent years, multiple fatal accidents have underscored the importance of validating the safety of new technologies. As automated technologies become increasingly widespread, the Committee believes the safety of the traveling public jointly depends on technology developers, owners and operators, and appropriate Federal regulations and effective oversight. To ensure automated technologies are safe and work as intended, the Department must have a workforce that can review and analyze complex transportation-based systems. The Committee directs the Secretary to stand up the Highly Automated Systems Safety COE. The Highly Automated Systems Safety COE would serve as a dedicated workforce at the Department with the necessary skills and expertise in automation and human behavior, including but not limited to, computer science, machine learning, sensors, and other technologies to audit, inspect, and certify the safety of highly automated systems across all modes of transportation.

*University Transportation Centers (UTCs).*—The Committee continues to support UTCs, which are authorized under section 5505 of title 49, United States Code, and funded through the Federal Highway Administration. The Committee recommendation provides \$15,000,000 to support competitive grants to fund new Tier I University Transportation Centers. This increase is in addition to amounts provided for fiscal year 2020 by the Fixing America’s Surface Transportation (FAST) Act (P.L. 114–94).

*Natural gas vehicle data.*—The Committee encourages the Department to gather data from States relating to the use of natural gas in transportation. This should include data on the number of natural gas vehicles deployed on roads and the amount of compressed natural gas, liquefied natural gas, and renewable natural gas sold or distributed for use in transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

Appropriation, fiscal year 2019 .....	\$900,000,000
Budget request, fiscal year 2020 .....	1,000,000,000
Recommended in the bill .....	1,000,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+100,000,000
Budget request, fiscal year 2020 .....	— — —

The National Infrastructure Investments program (also known as BUILD and formerly known as TIGER) was created in the American Recovery and Reinvestment Act (P.L. 111–5) to provide grants and credit assistance to State and local governments, tribal governments, transit agencies, port authorities, metropolitan planning organizations, or a combination of such entities to improve the Nation’s transportation infrastructure. Eligible projects include highways and bridges, public transportation, freight and passenger rail, port infrastructure, and bicycle and pedestrian improvements. The National Infrastructure Investments program awards funds on a

competitive basis to projects that will have a significant local or regional impact.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$1,000,000,000 for National Infrastructure Investments grants to support multimodal, multijurisdictional transportation projects that are more difficult to accomplish through traditional transportation programs. Key tenets of this program include its flexibility and the ability for any public entity to apply directly and not through a State department of transportation as is the case with many Federal transportation programs. BUILD also fosters collaboration and leverages non-Federal investments from private, State, and local sources. The Committee has consistently heard from communities large and small on the difference BUILD grants have made in improving safety, state of good repair, economic competitiveness, environmental sustainability, and quality of life.

The Committee is concerned that the Department has moved away from the original intent of the program. In fiscal year 2017, 78 percent of the awards were for road projects while the remaining 22 percent of awards were spread among transit, rail, and maritime projects. This preference continued in fiscal year 2018, with 66 percent of awards for road projects. The Department's prioritization of road projects came at the expense of transit-related projects, which on average received about 32 percent of awards between fiscal year 2009 and fiscal year 2016. This also contradicts the Committee's direction to invest in a variety of transportation modes. The Committee strongly reminds the Department that highway and bridge projects have dedicated funding sources through Highway Trust Fund formula programs, and directs the Department to refocus fiscal year 2020 grants on multimodal projects which include transit, passenger rail, and pedestrian improvements. The Committee also notes that investments in projects can have benefits far beyond the project location. For example, projects in urban areas can provide benefits to rural areas. Therefore, the Committee directs the Secretary to consider the benefits of a project to the fullest extent possible and to include all relevant geographic areas.

The Committee reiterates to the Department and potential applicants that BUILD grants support a broad variety of transportation projects including, but also not limited to, highway, bridge, or road projects; public transportation projects; passenger and freight rail projects; port infrastructure improvements; intermodal projects, including commercial, transit, and intermodal parking garages; bicycle and pedestrian projects; and multimodal infrastructure. The Committee also reiterates that applicants from all 50 States, the District of Columbia, and all U.S. territories are eligible to apply for BUILD grants, including communities whose transportation infrastructure supports the readiness of Department of Defense installations.

*Notice of Funding Opportunity (NOFO).*—The Committee is disappointed that the Department's fiscal year 2019 NOFO incorporates new criteria which the Department will use to evaluate and award grants. This contradicts the Committee's direction to consider and award projects based solely on the selection criteria from

the fiscal year 2017 NOFO. The Committee again directs the Department to use the selection criteria from the fiscal year 2017 NOFO for fiscal year 2020.

*Planning grants.*—The Committee also notes with disappointment that the Department did not award a single planning grant in fiscal year 2018. The Committee recognizes that planning support can be critical for communities seeking to invest in transit, transit-oriented development, and multimodal projects but often lack the resources or expertise to adequately plan for such investments. The Committee provided planning grant funding in fiscal years 2010, 2014, 2018, and 2019. Planning grants awarded in fiscal years 2010 and 2014 have spurred project development and, in turn, construction. The Committee recommendation requires the Department to award \$35,000,000 in grants for planning, preparation, or design of projects. Of this amount, \$15,000,000 is provided for any eligible project and applicant with an emphasis on transit, transit-oriented development, and multimodal projects, and \$20,000,000 is provided for any eligible project for applicants located in counties and census tracts experiencing persistent poverty.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE  
BUREAU

Appropriation, fiscal year 2019 .....	\$5,000,000
Budget request, fiscal year 2020 .....	4,000,000
Recommended in the bill .....	5,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	+1,000,000

Authorized under section 9001 of the FAST Act, the National Surface Transportation and Innovative Finance Bureau administers and coordinates the Department of Transportation’s existing transportation finance programs.

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$5,000,000 for the National Surface Transportation and Innovative Finance Bureau (Bureau). The Committee rejects the proposal in the budget request to transfer the Maritime Guaranteed Loan (Title XI) program from the Maritime Administration to the Bureau. The Committee recommendation requires the Department to consider Transportation Infrastructure Finance and Investment Act (TIFIA) loans to be part of the non-Federal share of the project costs if the loans are repaid by non-Federal funds.

*Transit-oriented development (TOD).*—In the FAST Act, Congress authorized TOD projects as an eligible use for credit assistance under TIFIA and the Railroad Rehabilitation and Improvement Financing (RRIF) programs. The Committee is concerned that despite interest from project sponsors to use TIFIA or RRIF to support TOD projects, to date the Bureau has not received a formal application under either program. The Committee directs the Department to submit a report to the House and Senate Committees on Appropriations within 90 days of enactment of this Act summarizing the inquiries DOT has received on potential TOD projects, including the type of applicant, potential project, whether the potential project was seeking assistance through TIFIA or RRIF, if the po-

tential project was deemed eligible, and the rationale for determining that the potential project was ineligible. Further, the report should identify current statutory, regulatory, or administrative requirements that may be hindering the financing of TOD projects under TIFIA and RRIF, and any actions the Department has taken to modify requirements or guidelines to facilitate financing TOD projects.

FINANCIAL MANAGEMENT CAPITAL

Appropriation, fiscal year 2019 .....	\$2,000,000
Budget request, fiscal year 2020 .....	2,000,000
Recommended in the bill .....	2,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

The Financial Management Capital program supports a multiyear project to upgrade DOT financial systems, processes, and reporting capabilities.

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$2,000,000 for the Financial Management Capital program.

*Digital Accountability and Transparency (DATA) Act.*—Within the amounts provided for this account, funding is included for necessary expenses to support the Department’s activities related to the implementation of the DATA Act (P.L. 113–101), which includes changes in business processes, workforce, or information technology to support high quality, transparent Federal spending information. Amounts provided should supplement and not supplant existing DATA Act activities.

CYBER SECURITY INITIATIVES

Appropriation, fiscal year 2019 .....	\$15,000,000
Budget request, fiscal year 2020 .....	15,000,000
Recommended in the bill .....	15,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

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

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$15,000,000 to support the Secretary’s Cyber Security Initiatives.

OFFICE OF CIVIL RIGHTS

Appropriation, fiscal year 2019 .....	\$9,470,000
Budget request, fiscal year 2020 .....	9,000,000
Recommended in the bill .....	9,470,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	+470,000

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

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$9,470,000 for the Office of Civil Rights.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

Appropriation, fiscal year 2019 .....	\$7,879,000
Budget request, fiscal year 2020 .....	8,000,000
Recommended in the bill .....	15,879,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+8,000,000
Budget request, fiscal year 2020 .....	+7,879,000

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

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$15,879,000 for transportation planning, research, and development activities, of which \$1,000,000 is for the Interagency Infrastructure Permitting Improvement Center.

*Non-traditional and emerging transportation technologies.*—The Committee recognizes the growth and innovation in new transportation technologies that seek to improve safety, alleviate congestion and shorten commute times, expand access and mobility for rural and urban communities, and enable a more efficient flow of commercial goods. The Committee understands hyperloop technology is an emerging transportation concept that has the potential to fulfill some of these objectives. In December 2018, the Secretary established the Non-Traditional and Emerging Transportation Technology (NETT) Council to identify and resolve, where possible, the jurisdictional and regulatory gaps associated with cross-modal transportation technologies, such as hyperloop technology, and leverage expertise from across the Department on safety approaches. The Committee supports the NETT’s focus on safety oversight and environmental review and directs the NETT to review hyperloop technology as part of this effort.

The Committee provides \$5,000,000 to assist the NETT in developing and establishing Department-wide processes, solutions, and best practices for identifying and managing non-traditional and emerging transportation technologies and projects, to provide assistance to local and State governments for non-traditional and

emerging technologies, and to conduct research to better understand the safety and regulatory needs of these technologies. The funding provided may be used for dedicated staff for the NETT. Further, the Committee directs the NETT to conduct a study of the Department's existing authorities and policies that may apply to hyperloop projects, and identify any statutory, regulatory, and policy issues that would preclude the Department from exercising operational safety oversight over some or all of the features of a hyperloop transportation system. The NETT shall submit this report to the House and Senate Committees on Appropriations within 180 days of enactment of this Act.

*Data sharing.*—The Department possesses and collects much information from airports, roads, bridges, and transit infrastructure networks. However, the systems used to collect and process this data for insight are not integrated across asset types. As the Department continues to grow its data, the Committee believes it needs to organize, share, and analyze data through enterprise data management, reporting, visualization, and advanced analytics software to discover patterns and other information. This will require the Department to continue to prioritize its management of information technology (IT) investments, lifecycle data management capabilities, and software licenses as it transitions to shared services as part of the DestinationsDigital program. Therefore, within the amounts provided for this account, the Committee recommendation includes funding to support an enterprise IT environment that will allow the Department to properly analyze the condition of assets, choose investments that would be most impactful, accurately report where investments were implemented, measure the results of the investments, provide data for public oversight in a modern, completely transparent environment, and support data driven public policy. The Committee urges the Department to include the management and modernization of existing advanced analytics licenses in this work.

*Bridges.*—The Committee supports the Department's work through the Long-Term Bridge Performance Research program to develop models to predict bridge performance, and support decisions concerning bridge preservation and rehabilitation investments. Within the amounts provided for this account, funding is included to develop advanced numerical analysis methods and artificial-intelligence based prediction tools to accurately assess the safety and remaining service life of the Nation's bridges.

*Street space utilization.*—In anticipation of increased utilization of transportation network companies and fully autonomous vehicles, as part of the Department's ongoing program of research, the Committee encourages the Department to conduct a study in partnership with States, local governments, transit agencies, or metropolitan planning organizations, in consultation with affected businesses and system users, to identify the most efficient uses of curb space, including pick-up and drop-off zones for passengers and freight.



WORKING CAPITAL FUND

Limitation, fiscal year 2019 .....	\$319,793,000
Budget request, fiscal year 2020 .....	n/a
Recommended in the bill .....	424,901,000
Bill compared with:	
Limitation, fiscal year 2019 .....	+105,108,000
Budget request, fiscal year 2020 .....	n/a

The Working Capital Fund (WCF) was created to provide common administrative services to the operating administrations and outside entities that contract for the fund's services. The WCF operates on a fee-for-service basis and receives no direct appropriations. It is fully self-sustaining and must achieve full cost recovery.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$424,901,000 on the Working Capital Fund. The Committee continues to stipulate that the limitation is only for services provided to the Department of Transportation, not other entities. Further, the Committee directs that, as much as possible, services shall be provided on a competitive basis.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

Appropriation, fiscal year 2019 .....	\$3,488,000
Budget request, fiscal year 2020 .....	3,000,000
Recommended in the bill .....	4,646,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+1,158,000
Budget request, fiscal year 2020 .....	+1,646,000

The Office of Small and Disadvantaged Business Utilization and Outreach assists small, disadvantaged businesses and businesses owned by minorities and women in competing for contracting opportunities with DOT and DOT-funded contracts or grants for transportation-related projects. The office also provides technical and financial assistance, bonding education, training, counseling, and procurement assistance, and administers DOT's Small Business Transportation Resource Center program.

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$4,646,000 for the Small and Disadvantaged Business Utilization and Outreach account. The Committee recognizes that the Department has merged the Minority Business Resource Center Program with the Office of Small and Disadvantaged Business Utilization and Outreach. Therefore, the Committee provides the Office of Small and Disadvantaged Business Utilization and Outreach the authority to support loans and other activities that were previously conducted by the Minority Business Resource Center Program.

PAYMENTS TO AIR CARRIERS  
(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2019 .....	\$175,000,000
Budget request, fiscal year 2020 .....	125,000,000
Recommended in the bill .....	175,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	+50,000,000

The Essential Air Service (EAS) program provides subsidies to air carriers to maintain a minimal level of scheduled air service to small communities that had received air service prior to Airline Deregulation Act of 1978. Since 1998, the source of funding for the EAS program has been “overflight fees,” which are charged to carriers for Federal Aviation Administration navigational and surveillance services for flights that traverse, but neither take off from nor land in, the United States.

COMMITTEE RECOMMENDATION

The following table shows the appropriation, overflight fees, and total program levels for the EAS program.

	Appropriations	Overflight fees	Total
FY 2019 Enacted .....	\$175,000,000	\$145,400,000	\$320,400,000
Request .....	125,000,000	150,500,000	275,500,000
Recommendation .....	175,000,000	150,500,000	325,500,000

The Committee directs the Department to utilize all collected overflight fees and provides an additional \$175,000,000 for this vital link between small communities and the nation.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF  
TRANSPORTATION

Section 101 prohibits the Office of the Secretary of Transportation from approving assessments or reimbursable agreements pertaining to funds appropriated to the operating administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 102 requires the Secretary to post on the internet a schedule of all Council on Credit and Finance meetings, agendas, and meeting minutes.

Section 103 allows the Department of Transportation Working Capital Fund to provide payments in advance to vendors for the Federal transit pass fringe benefit program and to provide full or partial payments to, and to accept reimbursements from, Federal agencies for transit benefit distribution services.

Section 104 provides an additional \$2,052,000 to the Salaries and Expenses account on the date on which the Secretary announces the selection of projects to receive awards for certain competitive grant programs funded in fiscal years 2017 and 2018.

Section 105 provides \$1,000,000 from the Research and Technology account for the Secretary to enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to conduct a study through the Transportation Research Board on effective ways to measure the resilience of transportation systems and services to natural disasters and hazards.

Section 106 provides \$10,000,000 from the Research and Technology account to establish the Highly Automated Systems Safety Center of Excellence.

FEDERAL AVIATION ADMINISTRATION

The Federal Aviation Administration (FAA) is responsible for the safety of civil aviation, navigation and surveillance, and airports. The Federal government’s regulatory role in civil aviation dates back 1926. When the Department of Transportation began its operations in 1967, the FAA became one of several modal administrations within the department. FAA’s mission expanded in 1995 with the transfer of the Office of Commercial Space Transportation from the Office of the Secretary and contracted in December 2001 with the transfer of civil aviation security activities to the new Transportation Security Administration.

*NextGen.*—The Committee places a high priority on Next Generation of Air Traffic Control (NextGen) programs and provides resources in the operations, facilities and equipment, and research evaluation and demonstration accounts to modernize air traffic control along with private sector stakeholders.

*NextGen Advisory Committee.*—The NextGen Advisory Committee (NAC) includes an appropriate mix of the aviation community, including representatives from general aviation, commercial aviation, labor organizations, airports, local community representatives, and the Federal government. The Committee supports the current diverse NAC membership and believes that the NAC performs an important role in setting priorities for the FAA’s air traffic control modernization efforts. The Committee encourages the FAA to implement NAC recommendations and directs the FAA to provide an annual update on the status of NAC recommendations to the House and Senate Committees on Appropriations.

OPERATIONS

(AIRPORT AND AIRWAYS TRUST FUND)

Appropriation, fiscal year 2019 .....	\$10,410,758,000
Budget request, fiscal year .....	10,340,000,000
Recommended in the bill .....	10,677,758,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+267,000,000
Budget request, fiscal year 2020 .....	+337,758,000

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

The operations appropriation includes the following major activities: (1) operation on a 24-hour daily basis of a national air traffic system; (2) establishment and maintenance of a national system of aids to navigation; (3) establishment and surveillance of civil air regulations to ensure safety in aviation; (4) development of standards, rules and regulations governing the physical fitness of airmen, as well as the administration of an aviation medical research program; (5) administration of the acquisition, and research and development programs; (6) headquarters, administration, and other

staff offices; and (7) development, printing, and distribution of aeronautical charts used by the flying public.

COMMITTEE RECOMMENDATION

The following table shows a comparison of the budget request and the Committee recommendation by budget activity:

FAA Operations Activities	Request	Recommendation
Air Traffic Organization .....	\$7,777,357,000	\$7,841,720,000
Aviation Safety .....	1,327,779,000	1,603,969,000
Commercial Space Transportation .....	25,598,000	24,949,000
Finance and Management .....	784,832,000	816,398,000
NextGen and Operations Planning .....	60,145,000	61,258,000
Security and Hazardous Materials Safety .....	117,694,000	114,165,000
Staff offices .....	246,595,000	215,299,000
<b>Total .....</b>	<b>10,340,000,000</b>	<b>10,677,758,000</b>

TRUST FUND SHARE OF FAA BUDGET

The bill derives \$9,833,400,000 of the total operations appropriation from the Airport and Airway Trust Fund. The balance of the appropriation will be drawn from the general fund of the Treasury.

*Aviation safety.*—The Committee provides \$1,603,969,000 for the core mission of the FAA—safety. Establishing and enforcing the safety standards for every product, person, and process in the national airspace system is the exclusive jurisdiction of the FAA. The Committee supports the FAA’s role as both a national regulator and international leader in safety oversight.

The Committee expects the multiple, on-going reviews of the certification process to result in the need for greater technical competency at the FAA and deep, substantive responses to the recommendations from these reviews; the Committee provides resources accordingly. The Committee also supports the augmentation of aviation safety inspectors, aviation safety technicians, aerospace engineers, operations research analysts, and medical officers to conduct investigations and audits of airlines, manufacturers, and pilots as a form of accident prevention.

Incorporating a “safety first” approach into the FAA and its operations is essential and takes precedence over the commercial success of any technology, manufacturer, carrier, or airport.

*Additive manufactured continued airworthiness.*—The Committee is encouraged by the potential impact that stitched resin composites and large volume additive manufactured discontinuous fiber reinforced composites can have on the aviation industry. The Committee urges FAA to evaluate the material for airworthiness certification and inspection, using destructive and non-destructive testing approaches, while ensuring the safety of using these materials in the aviation industry.

*Aircraft accessibility.*—The Committee notes the air travel-related challenges for disabled and paralyzed Americans, including damaged assistive devices, delayed assistance, and lack of seating accommodations. Therefore, the Committee encourages the Secretary of Transportation and Administrator of the FAA to work diligently on requirements in the FAA Reauthorization Act (P.L. 115–254) to address the concerns of aviation consumers with disabilities.

*Aircraft certification service.*—The Committee recommendation includes no less than \$240,720,000 for the Aircraft Certification Service.

*Allergic reactions aboard aircraft.*—The fiscal years 2017, 2018, and 2019 reports directed the FAA to review its policies concerning severe allergic reactions aboard aircraft and submit a report within 90 days of enactment of these Acts, detailing the documentation requirements for airlines when an incident of allergic reaction occurs, the data definition and standards for such a document, and the number of documented incidents that occurred in the past year. The Committee has yet to receive this report. The FAA is directed to submit this report to the House and Senate Committees on Appropriations within 30 days of enactment of this Act, updated with the most recent data including fiscal years 2017, 2018, and 2019.

*Aviation professionals.*—The Committee supports increasing the strength and number of aviation professionals who are well-trained and can be relied upon to make air travel safe and efficient. To that end, the Committee provides \$5,000,000 for the aviation maintenance technician development program and \$5,000,000 for aviation workforce development program.

In order to improve safety oversight, the Committee further supports efforts by the FAA to review and revise its safety workforce training strategy and by the Government Accountability Office to assess the FAA Office of Aviation Safety in accordance with sections 231 and 232 of the FAA Reauthorization Act (P.L. 115–254), respectively.

*Commercial space licensing.*—The Committee supports the Department of Transportation and the FAA in their efforts to move forward in reforming, streamlining, and reducing reporting requirements and timelines for the licensing of U.S. commercial launch services providers as they seek to leverage their innovative and rapid-response launch solutions to support U.S. launch needs and priorities.

*Contract tower program.*—The Committee recommendation includes \$169,000,000 for the contract tower program, including the contract tower cost share program. The Committee continues to strongly support the FAA contract tower program as a cost-effective and efficient way to provide air traffic control services to smaller airports across the country. The Committee expects FAA to continue to operate the 256 contract towers currently in the program, annualize funding for towers that will be added in 2019, and provide full-year funding for new airports expected to be added to the program in fiscal year 2020.

*Emergency preparedness.*—The Committee directs the FAA to work with airport sponsors and other Federal, State and local agencies to help plan for emergency preparedness and response, including planning for what spaces on the airport might be available for staging and storing equipment. Additionally, the Committee directs the FAA to provide a briefing on feasibility, benefits, and risk associated with developing consolidated emergency command centers.

*Emergency service heliports.*—Accurate heliport data is needed for accurate navigation charting for ingress and egress to medical centers and other landing locations. The Committee directs the FAA to develop a national data standard to design and chart air-

space in order to identify potential hazards and develop flight procedures for helicopter pilots, especially for helicopter air ambulance procedures.

*Field and regional offices.*—The Committee strongly supports FAA field and regional offices. These offices are the workhorses of FAA, providing leadership and expertise to solve a wide range of local safety, planning, operational, research, permit, infrastructure, and engineering problems with State and local stakeholders. The Committee encourages the FAA to operate efficiently and effectively, but requires the FAA to follow reprogramming procedures and seek approval from the Committee before closing, opening, redesignating, or reorganizing field or regional offices.

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

*Las Vegas Metroplex.*—The Committee commends the FAA for its efforts to redesign the Las Vegas Metroplex through new performance based navigation procedures and the better utilization of time based flow management. The Committee encourages the FAA to dedicate all appropriate resources to this project to ensure its timely completion.

*Lunar exploration.*—The Committee notes the possible value of using the payload and lifting capabilities of the Space Launch System and encourages the FAA to continue to facilitate lunar exploration and development.

*Noise.*—The Committee shares the concerns of communities affected by aircraft noise and urges the FAA to respond fully and completely to the requirements in the FAA Reauthorization Act (P.L. 115–254) pertaining to noise reduction. Among these requirements are a study on jet aircraft approach and takeoff speeds, a review of how and when to engage airports and communities in performance-based navigation proposals, updating airport noise exposure maps, and a study on the potential health and economic impact of overflight noise. Without deferring any safety-related projects, the FAA should evaluate alternative metrics to the current Day Night Level (DNL) 65 standard, enter into an agreement with an institution of higher education to conduct a study on the health impacts of aircraft noise exposure, deploy recently hired regional ombudsmen into communities, and make noise data as widely and publicly available as practical.

*Pets.*—The Committee directs the Administrator to encourage airports to provide a designated area for animals traveling with their owners to relieve themselves and to remind carriers that it is unlawful to place a live animal in an overhead storage compartment of an aircraft.

*Special issuance for pilot medical certification.*—Consistent with a 2018 opinion from the U.S. Court of Appeals for the District of Columbia Circuit, the FAA should develop an evidence-based framework to allow for the special issuance of first- or second-class medical certification for pilots with insulin-treated diabetes. The

Committee directs the FAA to report to the House and Senate Committees on Appropriations not later than 90 days after enactment of this Act on actions, taken or planned, for completing such a framework.

*Unfinished rulemakings.*—The Committee notes that the FAA has not met the statutory deadlines to comply with either section 308 of P.L. 112–95, which requires the FAA to develop a safety assessment system for part 145 air repair stations, or section 335(a) of P.L. 115–254, which requires the FAA to update a rule related to flight attendant duty period limitations and rest requirements. The Committee directs the FAA to report every 30 days after enactment of this Act to the House and Senate Committees on Appropriations; the Senate Committee on Commerce, Science, and Transportation; and House Committee on Transportation and Infrastructure on actions taken and planned to promulgate final rules.

*Unmanned Aircraft Systems (UAS) integration and advanced operations.*—The Committee is pleased with the recent progress that FAA has made to safely and efficiently integrate UAS in the national airspace system and enable advanced operations, such as the publication of long-awaited rulemakings. The Committee encourages the FAA to reduce the time to process Part 107 operational waivers, use the data from the UAS Integration Pilot Program to develop more complex UAS operations, and continue development of the unmanned traffic management network.

*Workforce diversity.*—The Committee supports the efforts of the FAA to increase diversity in hiring, retention, and promotion within its workforce, including the allocation of funds to continue and expand its recruitment programs, professional development activities, and outreach efforts. To further those goals, the Committee provides \$5,000,000 for the Minority Serving Institutions internship program, which provides students from Historically Black Colleges and Universities, Hispanic Serving Institutions, students attending a college or university with a high percentage of Asian American and Pacific Islanders, Tribal Colleges and Universities, and Students with Disabilities the opportunity to participate in internship opportunities. The Committee also supports the Women in Aviation Advisory Board required by the FAA Reauthorization Act (P.L. 115–254) and looks forward to its recommendations.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAYS TRUST FUND)

Appropriation, fiscal year 2019 .....	\$3,000,000,000
Budget request, fiscal year 2020 .....	3,295,000,000
Recommended in the bill .....	3,000,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	-295,000,000

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

## COMMITTEE RECOMMENDATION

The following table provides funding levels for specific facilities and equipment activities and budget line items. The Committee provides the FAA with additional flexibility to fund the programs and activities that improve the safety of the National Airspace System, but directs the FAA to submit to the House and Senate Committees on Appropriations a detailed spend plan for the funds made available by this account not later than 60 days after enactment of this Act. The spend plan shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the FAA. If the proposed level is less than or greater than the funding levels in the congressional budget justification, then the FAA shall provide a clear and concise justification, subject to the reprogramming requirements of section 405 of this Act.

	Request	Recommendation
Activity 1—Engineering, Development, Test and Evaluation:		
William J. Hughes Technical Center Laboratory Sustainment .....	\$20,000,000	\$25,000,000
William J. Hughes Technical Center Infrastructure Sustainment .....	15,000,000	30,000,000
NextGen Support Portfolio .....	13,000,000	13,000,000
Unmanned Aircraft Systems (UAS) .....	68,400,000	68,400,000
Enterprise, Concept Development, Human Factors, & Demonstrations Portfolio .....	32,000,000	32,000,000
Other Activity 1 .....	129,400,000	125,450,000
<b>TOTAL ACTIVITY 1 .....</b>	<b>277,800,000</b>	<b>293,850,000</b>
Activity 2—Air Traffic Control Facilities and Equipment:		
a. En Route Programs:		
En Route Automation Modernization (ERAM)—System Enhancements and Tech Refresh .....	105,950,000	105,950,000
Air Route Traffic Control Center (ARTCC) & Combined Control Facility (CCF) Building Improvements .....	96,900,000	96,900,000
Air Traffic Control En Route Radar Facilities Improvements .....	5,300,000	5,300,000
Next Generation Very High Frequency Air/Ground Communications (NEXCOM) .....	50,000,000	70,000,000
System-Wide Information Management .....	100,950,000	78,125,000
ADS-B NAS Wide Implementation .....	174,400,000	174,400,000
Time Based Flow Management Portfolio .....	30,700,000	30,700,000
Data Communications in Support of NG Air Transportation System .....	136,248,013	136,250,000
Reduced Oceanic Separation .....	32,300,000	35,000,000
Commercial Space Integration .....	33,000,000	33,000,000
Other En Route programs .....	148,700,000	118,000,000
<b>Subtotal En Route Programs .....</b>	<b>914,448,013</b>	<b>883,625,000</b>
b. Terminal Programs:		
Standard Terminal Automation Replacement System (STARS) (TAMR Phase 1) .....	41,300,000	41,300,000
Terminal Automation Program .....	6,500,000	6,500,000
Terminal Air Traffic Control Facilities—Replace .....	24,325,987	24,400,000
ATCT/Terminal Radar Approach Control (TRACON) Facilities—Improve .....	96,200,000	96,200,000
NAS Facilities OSHA and Environmental Standards Compliance .....	40,400,000	41,900,000
Terminal Flight Data Manager (TFDM) .....	135,450,000	135,450,000
Performance Based Navigation & Metroplex Portfolio .....	5,000,000	5,000,000
Other Terminal programs .....	271,250,000	37,600,000
<b>Subtotal Terminal Programs .....</b>	<b>620,425,987</b>	<b>388,350,000</b>
c. Flight Service Programs:		
Aviation Surface Observation System (ASOS) .....	4,000,000	4,000,000
Weather Camera Program .....		1,100,000
Other Flight Service programs .....	22,850,000	18,300,000
<b>Subtotal Flight Service Programs .....</b>	<b>26,850,000</b>	<b>23,400,000</b>
d. Landing and Navigational Aids Program:		
VHF Omnidirectional Radio Range (VOR) Minimum Operating Network (MON) .....	18,000,000	18,000,000
Wide Area Augmentation System (WAAS) for GPS .....	90,000,000	90,000,000



	Request	Recommendation
Runway Safety Areas—Navigational Mitigation .....	1,400,000	1,400,000
Other Landing and Navigational Aids programs .....	49,345,000	40,722,500
Subtotal Landing and Navigational Aids Programs .....	158,745,000	150,122,500
e. Other ATC Facilities Programs:		
Fuel Storage Tank Replacement and Management .....	26,400,000	26,400,000
Electrical Power Systems—Sustain/Support .....	150,000,000	140,700,000
Child Care Center Sustainment .....	1,500,000	1,500,000
Other ATC Facilities programs .....	153,000,000	145,450,000
Subtotal Other ATC Facilities Programs .....	330,900,000	314,050,000
TOTAL ACTIVITY 2 .....	2,051,369,000	1,759,547,500
Activity 3—Non-Air Traffic Control Facilities and Equipment:		
a. Support Equipment:		
Hazardous Materials Management .....	20,000,000	20,000,000
Aviation Safety Analysis System (ASAS) .....	19,700,000	19,700,000
Facility Security Risk Management .....	15,100,000	15,100,000
Information Security .....	33,300,000	33,300,000
System Approach for Safety Oversight (SASO) .....	23,100,000	23,100,000
Aviation Safety Knowledge Management Environment (ASKME) .....	5,300,000	5,300,000
Other Support Equipment .....	67,900,000	62,600,000
Subtotal Support Equipment .....	184,400,000	179,100,000
b. Training, Equipment and Facilities .....	19,000,000	15,000,000
TOTAL ACTIVITY 3 .....	203,400,000	194,100,000
TOTAL ACTIVITY 4—Facilities and Equipment Mission Support .....	237,700,000	235,300,000
TOTAL ACTIVITY 5—Personnel and Related Expenses .....	524,730,000	517,202,500
TOTAL, ALL ACTIVITIES .....	3,295,000,000	3,000,000,000

*Air traffic control towers.*—The Committee is concerned by outdated technology being used in air traffic control towers and believes the FAA should deploy the most up-to-date technology as rapidly as operational safety allows. Replacing outdated technology should increase the safety and efficiency of all travelers, airports, and carriers.

*Aviation Safety Information Analysis and Sharing.*—The Committee commends the FAA for the collaborative, government-industry Aviation Safety Information Analysis and Sharing (ASIAS) whose mission is to proactively discover and mitigate emerging safety issues, before they result in an incident or accident. The Committee appreciates this collaborative initiative that has resulted in the implementation of safety enhancements that have improved our nation's aviation safety. The Committee directs the FAA to keep the House and Senate Committees on Appropriations apprised on the status of ASIAS capability acceleration.

*Procurement.*—Consistent with the Acquisition Management System (AMS), the Committee directs the FAA to promote a competitive contracting environment to achieve the best value for taxpayers. When competition is restricted, the FAA loses opportunities not only to obtain lower prices but also to acquire technologies or business solutions that could increase safety, productivity, and effectiveness. Preference should be given to using commercial and previously developed items whenever possible. Development of a product, and its associated costs and risks, should be avoided unless necessary to meet FAA needs. If developmental items are required, the need should be documented in the procurement plan.

*Reduced oceanic separation.*—The recommendation includes \$35,000,000 for reduced oceanic separation to enable reduced separation in oceanic traffic, enable new air routes which will increase airspace capacity, and reduce time for search and rescue missions.

*Remote towers.*—Consistent with section 161 of the FAA Reauthorization Act of 2018, the Committee encourages the FAA to use remote tower technology as a means to enhance safety, reduce costs, and expand air traffic control services at rural and small community airports.

*Technology refresh.*—The Committee supports FAA efforts to modernize and enhance information technology and systems. Once deployed, these systems, including the existing integrated control and monitoring system, need to be continuously monitored for performance and periodically refreshed to preserve their capabilities. The Committee encourages the FAA to incorporate and budget for regular refresh cycles into their information technology practices, which will ready the FAA to leverage new architecture models and technology, such as cloud computing and artificial intelligence.

The VHF Omnidirectional Radio Range (VOR) Minimum Operational Network (MON) system is designed to support conventional navigation procedures, providing redundancy which is the centerpiece of safety. The Committee assumes it would be cost-effective to maintain it by using experienced technicians, including current FAA employees, familiar with this legacy technology.

*Workplace safety.*—The Committee is concerned that there are some contract towers that are more than 40 years of age, are non-compliant with Occupational Safety and Health Administration standards, and have line of sight issues that threaten air traffic control and passenger safety. The Committee looks forward to the assessments of these towers required last year.

RESEARCH, ENGINEERING AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2019 .....	\$191,100,000
Budget request, fiscal year 2020 .....	120,000,000
Recommended in the bill .....	191,100,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	— —
Budget request, fiscal year 2020 .....	+71,100,000

This appropriation provides funding for long-term research, engineering, and development programs to improve the air traffic control system and to raise the level of aviation safety, as authorized by the Airport and Airway Improvement Act and the Federal Aviation Act. The appropriation also finances the research, engineering, and development needed to establish or modify Federal air regulations.

COMMITTEE RECOMMENDATION

The following table provides funding levels for specific research, engineering, and development programs. The Committee provides the FAA with additional flexibility to fund the programs that improve the safety of the National Airspace System, but directs the FAA to submit to the House and Senate Committees on Appropriations a detailed spend plan for the funds made available by this account not later than 60 days after enactment of this Act. The spend

plan shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the FAA. If the proposed level is less than or greater than the funding levels in the congressional budget justification, then the FAA shall provide a clear and concise justification, subject to the reprogramming requirements of section 405 of this Act.

	Request	Recommendation
Safety:		
Fire Research and Safety .....	\$7,562,000	\$7,562,000
Advanced Materials/Structural Safety .....	1,799,000	15,000,000
Aircraft Icing /Digital System Safety .....	7,450,000	9,300,000
Continued Airworthiness .....	10,006,000	11,300,000
Aircraft Catastrophic Failure Prevention Research .....		1,565,000
Flightdeck/Maintenance/System Integration Human Factors .....	5,973,000	7,300,000
System Safety Management .....	4,309,000	5,500,000
Air Traffic Control/Technical Operations Human Factors .....	5,474,000	5,474,000
Unmanned Aircraft Systems Research .....	7,546,000	25,000,000
Alternative Fuels for General Aviation .....		1,900,000
Commercial Space .....	5,971,000	5,971,000
NextGen—Air Ground Integration Human Factors .....	1,717,000	5,800,000
NextGen—Information Security .....	2,675,000	2,675,000
Other Safety .....	26,339,000	31,227,000
<b>Total Safety .....</b>	<b>86,821,000</b>	<b>135,574,000</b>
Reduce Environmental Impacts:		
Environment and Energy .....	15,103,000	18,500,000
NextGen—Environmental Research—Aircraft Technologies, Fuels, and Metrics .....	12,500,000	29,600,000
<b>Total Reduce Environmental Impacts .....</b>	<b>27,603,000</b>	<b>48,100,000</b>
Mission Support:		
System Planning and Resource Management .....	2,717,000	2,426,000
William J. Hughes Technical Center Laboratory Facility .....	2,859,000	5,000,000
<b>Total Mission Support .....</b>	<b>5,576,000</b>	<b>7,426,000</b>
<b>TOTAL .....</b>	<b>120,000,000</b>	<b>191,100,000</b>

*Counter-unmanned aircraft systems.*—In accordance with section 383 of the FAA Reauthorization Act (P.L. 115–254), the Committee supports the coordination among the FAA, Departments of Defense and Homeland Security, and other relevant Federal agencies to ensure that the detection and mitigation of potential risks posed by errant or hostile unmanned aircraft does not adversely impact or interfere with safe airport operations, navigation, air traffic services, or the safe and efficient operation of the national airspace system. The Committee directs the FAA to provide regular updates to the House and Senate Committees on Appropriations on their activities related to counter unmanned aircraft research, capabilities, and coordination.

*Crew complements.*—The presence of two well-trained, qualified pilots in commercial aircraft is another example of safety through redundancy. Funds made available in this Act to study alternative crew complements for flight decks in commercial operations should prioritize the safety effects relative to two-person flights. This direction is not intended to limit FAA's research and development activities related to unmanned aerial vehicles.

*Wind Turbine-Radar Interference Mitigation Working Group.*—The FAA is a member of the Wind Turbine-Radar Interference

Mitigation Working Group, which also includes the Departments of Defense and Energy and the National Oceanic and Atmospheric Administration. This collaborative work is expected to be completed in 2025. The Committee encourages the working group, including the FAA, to complete the work as expeditiously as possible and provide periodic updates to the Committee.

*Low Altitude Authorization and Notification Capability.*—The Committee is pleased that cooperation between the FAA and industry partners towards the Low Altitude Authorization and Notification Capability (LAANC) program has safely and efficiently opened more airspace to UAS innovation. The LAANC program is making progress towards an unmanned traffic management system. The Committee supports the continuation and extension of the LAANC program.

*NextGen, Environmental Research-Aircraft Technologies, Fuels, and Metrics.*—The recommendation includes \$29,600,000 for NextGen, Environmental Research-Aircraft Technologies, Fuels, and Metrics to reduce aviation noise and exhaust emissions and to increase energy efficiency. This program utilizes the Center of Excellence to discover, analyze, and develop science-based solutions to the energy and environmental challenges facing the aviation industry.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFERS OF FUNDS)

Appropriation, fiscal year 2019 .....	\$3,350,000,000
Budget request, fiscal year 2020 .....	3,350,000,000
Recommended in the bill .....	3,350,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

This funding provides grants for airport planning and development, noise compatibility and planning, the military airport program, reliever airports, airport program administration, and other authorized activities.

REPORT RECOMMENDATION

*Airport technology research.*—The Committee recommendation includes a minimum of \$33,210,000 for the FAA’s airport technology research program to conduct research on topics such as concrete and asphalt airport pavement in accordance with section 744 of the FAA Reauthorization Act (P.L. 115–254); airport marking and lighting; airport rescue and firefighting; airport planning and design; wildlife hazard mitigation; and visual guidance.

*Noise and environment.*—The Committee directs the Administrator to ensure the availability of funds to implement the Environmental Mitigation Pilot Program and the series of studies and reports on aircraft noise in accordance with the Airport Noise and Environmental Streamlining subtitle of the FAA Reauthorization Act (P.L. 115–254).

GRANTS-IN-AID FOR AIRPORTS

Appropriation, fiscal year 2019 .....	\$500,000,000
Budget request, fiscal year 2020 .....	---
Recommended in the bill .....	500,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	+500,000,000

The Committee recommendation includes \$500,000,000 in discretionary funding for additional grants for airport infrastructure. These grants are to be awarded on a competitive basis for all airport sizes.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Section 110 limits the number of technical work years at the Center for Advanced Aviation Systems Development to 600.

Section 111 prohibits FAA from requiring airport sponsors to provide the agency ‘without cost’ building construction, maintenance, utilities and expenses, or space in sponsor-owned buildings, except in the case of certain specified exceptions.

Section 112 allows reimbursement for fees collected and credited under 49 U.S.C. 45303.

Section 113 allows reimbursement of funds for providing technical assistance to foreign aviation authorities to be credited to the operations account.

Section 114 prohibits FAA from paying Sunday premium pay, except in those cases where the individual actually worked on a Sunday.

Section 115 prohibits FAA from using funds to purchase store gift cards or gift certificates through a government-issued credit card.

Section 116 requires approval from the Deputy Assistant Secretary for Administration of the Department of Transportation for retention bonuses for any FAA employee.

Section 117 requires the Secretary to block the display of an owner or operator’s aircraft registration number in the Aircraft Situational Display to Industry program, upon the request of an owner or operator.

Section 118 limits the number of FAA political appointees to eight.

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

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

Section 119B prohibits funds to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

Section 119C sets requirements for the Contract Tower program.

Section 119D allows for reimbursements to airports affected by Temporary Flight Restrictions (TFRs).

## FEDERAL HIGHWAY ADMINISTRATION

The Federal Highway Administration (FHWA) provides financial assistance to the States to construct and improve roads and highways. It also provides technical assistance to other agencies and organizations involved in road building activities. Title 23 of the United States Code and other supporting statutes provide authority for the activities of the FHWA. The most recent authorization for the programs administered by the FHWA is contained in the Fixing America's Surface Transportation (FAST) Act (P.L. 114-94). Funding is provided by contract authority, while program levels are established by annual limitations on obligations, as set forth in appropriations Acts.

## LIMITATION ON ADMINISTRATIVE EXPENSES

## (HIGHWAY TRUST FUND)

## (INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2019 .....	\$449,692,304
Budget request, fiscal year 2020 .....	453,549,689
Recommended in the bill .....	453,549,689
Bill compared with:	
Appropriation, fiscal year 2019 .....	+3,858,385
Budget request, fiscal year 2020 .....	---

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

## COMMITTEE RECOMMENDATION

The Committee recommends a limitation on FHWA administrative expenses of \$453,549,689. In addition, \$3,248,000 is transferred to the Appalachian Regional Commission.

## FEDERAL-AID HIGHWAYS

## (LIMITATION ON OBLIGATIONS)

## (HIGHWAY TRUST FUND)

	Limitation on obligations**
Appropriation, fiscal year 2019 .....	\$45,268,596,000
Budget request, fiscal year 2020 .....	46,365,092,000
Recommended in the bill .....	46,365,092,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+1,096,496,000
Budget request, fiscal year 2020 .....	---

\*\*These amounts do not include \$739,000,000 of contract authority exempt from the limitation on obligations. As a result, total program level for 2019 was \$46,007,596,000. The total recommended program level for 2020 is \$47,104,092,000.

The Federal-aid highway program is funded by contract authority, and liquidating cash appropriations are subsequently provided to fund resulting outlays. The Committee sets, through the annual appropriations process, an overall limitation on the total contract authority that can be obligated under the program in a given year. Programs included within the Federal-aid highway program are financed from the Highway Trust Fund.

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

#### COMMITTEE RECOMMENDATION

The Committee recommends a total program level of \$47,104,092,000 for the regular Federal-aid highway program in fiscal year 2020. Included within the recommended amount is an obligation limitation of \$46,365,092,000 and \$739,000,000 in contract authority that is exempt from the obligation limitation.

*Congestion Mitigation and Air Quality (CMAQ).*—The Committee provides \$2,500,000,000 for CMAQ programs. These programs are essential to reducing congestion and improving air quality nationwide. The Committee urges FHWA to consider the feasibility of utilizing or deploying innovative technologies, including moveable barriers, that provide congestion relief, improve air quality, and decrease fuel consumption. Innovative technologies can offer quick alternatives to costly road construction, result in safer roadways, help eliminate crossover fatalities, improve air quality, and decrease fuel consumption. The Committee encourages FHWA to consider such technologies as part of any project for which the Federal government provides grants.

*Highway research.*—The Committee provides \$420,000,000 for the Highway Research, Technology and Education program, consistent with the levels contained in the FAST Act. As part of FHWA's Research, Technology and Education program, the Committee encourages the Secretary, in conjunction with the National Weather Service, to establish a pilot project that would develop a model to collect and integrate real-time, geo-located weather and roadway data in order to improve emergency planning, response, and public safety.

*Transportation Infrastructure Finance and Innovation Act (TIFIA).*—TIFIA credit assistance allows State and local governments to leverage limited Federal resources and stimulate capital market investment in transportation infrastructure. The program provides Federal credit assistance in the form of direct loans, loan guarantees, and standby lines of credit to projects of national or regional significance. Consistent with the FAST Act, the Committee provides \$300,000,000 in budget authority for TIFIA which it expects will leverage more than \$3,000,000,000 in loans for important transportation projects nationwide.

*Freight.*—Our nation's major freight corridors improve our economic efficiency, promote economic growth, and increase employment. The Committee provides \$1,500,000,000 for the National Highway Freight program, consistent with the amounts authorized in the FAST Act.

Interstate 10 in Alabama and the proposed Interstate 69 extension over the Ohio River are crucial corridors for the movement of freight. On Interstate 10, the Mobile River Bridge between Mobile and Daphne, Alabama is a key choke point and creates safety haz-

ards for motorists. The Interstate 69 extension between Indiana and Kentucky will address capacity constraints and create a continuous transportation network from Canada to Mexico that will facilitate international trade and spur economic development. The Committee encourages FHWA to work with the relevant State departments of transportation to address capacity constraints at these chokepoints and to develop robust funding plans to complete these critical projects.

In addition, the Committee believes critical commerce corridors (CCC), an authorized use of funds in the nationally significant freight and highway projects program, can improve economic efficiency, reduce travel times, and promote safe travel on our nation's roads and highways. CCCs create a barrier on existing highways, physically separating lanes dedicated for heavy commercial trucks from lanes dedicated for passenger vehicles. The Committee encourages the Secretary to consider applications for the creation of CCCs when awarding competitive grants.

*Permeable pavements.*—The Committee encourages the Secretary to accelerate research, demonstration, and deployment of permeable pavements to achieve flood mitigation, pollutant reduction, stormwater runoff reduction, environmental conservation, and resilience for both new road construction and the retrofit of existing roads. The Committee encourages the Secretary to conduct structural evaluations of flood-damaged pavements, with emphasis on local roads and highways subject to flooding and extended periods of inundation, to understand the mechanisms of flood damage and how permeable pavements might be used to prevent or reduce damage from future flooding.

*Guardrails.*—The Committee supports continued efforts by the Secretary to help State and local departments of transportation capitalize on Federal investment in Geosynthetic Reinforced Soil Integrated Bridge Systems. The Committee encourages the Secretary to consider testing of geo-synthetically reinforced soil guardrails for performance under vehicle impact and use this data to develop specifications for use in future roadway construction.

*Bridge corrosion.*—The Committee reiterates its concern with the large number of structurally deficient bridges in the United States and recognizes that corrosion is a leading cause of bridge failure. The Committee is concerned that the Secretary has not complied with the directive in House Report 115–237 to produce a report on best practices to combat bridge corrosion. Therefore, the Committee again directs the Secretary to conduct a report on the status of corrosion control planning by State departments of transportation and the status of corrosion control best practice requirements in State regulations and in bid specifications for bridge projects using Federal taxpayer money. The Committee again directs the Secretary to consult with State departments of transportation to ensure that contractors and subcontractors hired for bridge construction, alterations or maintenance projects using Federal taxpayer money, other than those involving minor repair work, are utilizing industry best practices to prevent, mitigate and control corrosion. The Committee directs the GAO to produce a report to Congress, due no later than one year after enactment of this Act, on the status of corrosion control planning by State departments of transportation.



*Truck size and weight.*—The Committee is concerned about the demands placed on our nation’s highways, especially bridges, by large trucks. The June 2015 Comprehensive Truck Size and Weight Technical Reports Summary found that 4,845 bridges would need to be strengthened or replaced to handle the additional stress if Federal truck weights were increased to 91,000 pounds. In addition, a 2018 Consensus Study Report requested by the U.S. Department of Transportation and conducted by the Transportation Research Board identified 27 research projects that are needed to better project the consequences of proposed changes to truck length and weight limits. A significant increase in Federal truck length and weight, before the impacts of these changes have been studied, would stress an already failing Highway Trust Fund and further compromise the condition of our roads and bridges. The results of the proposed research should be considered by the Department and Congress before any changes in national policy are made.

*Highway-rail grade crossing safety handbook.*—The Committee is concerned that an updated handbook on safety at highway-rail grade crossings is over a year late. Updated safety protocols at highway-grade crossings will save lives. The Committee directs FHWA, in coordination with the Federal Railroad Administration, to complete the handbook within 180 days of enactment of this Act.

*Verrazzano-Narrows bridge.*—The Committee anticipates that when two-way tolling is established by the Metropolitan Transit Authority (MTA), each one-way toll will be equal to one-half of the current one-way toll. The Committee recognizes that, over time, the MTA will need to adjust the toll rate.

*Ferry programs.*—The Committee recognizes the important role that ferries play in connecting communities and reducing congestion. Under this heading, the Committee provides \$80,000,000 for the Ferry Boat Program, consistent with the amounts authorized by the FAST Act. The bill also provides \$30,000,000 for ferry programs administered by the Federal Transit Administration (FTA).

*Appalachian Development Highway System (ADHS).*—The Committee recognizes the important role that the ADHS plays in providing economic opportunities for persistently poor residents of Appalachia. As a result, the Committee rejects the President’s proposal to rescind \$40,222,760 from ADHS projects in Georgia, Kentucky, Maryland, New York, Tennessee, and West Virginia.

*FHWA competitive programs.*—For applicable competitive programs administered by FHWA, including the Infrastructure for Rebuilding America (INFRA) grant program, the Committee is concerned about the lack of transparency in grant award decisions by the Department of Transportation (DOT). For competitive programs funded under this heading, program teams should document their decision-making rationale throughout review in the application selection process. In addition, the Committee directs the Secretary to give priority to applicants with a demonstrated success record of managing and implementing complex projects on-time and on-budget.

*Pavement conditions and competition.*—Good pavement conditions on the National Highway System and roads eligible for Federal-aid funding are a key goal of the funds provided in this Act. The Committee is concerned about the variability in pavement conditions across States and jurisdictions including in home rule states

and in colder climates. As a result of these concerns, the Committee directs the GAO to evaluate the ability of urban areas in home rule states to meet Federal road maintenance standards. Furthermore, as part of FHWA's continued research on pavement performance, the Committee encourages the agency to include special considerations of pavement performance in colder climates and directs the agency to continue to evaluate the impact of autonomous vehicles, particularly commercial vehicles, on pavement performance. The Committee looks forward to receiving the report on Automated Vehicle Impacts to Highway Infrastructure during 2020.

In addition, the Committee notes that competition in the selection of pavement materials can facilitate the efficient use of Federal funds. The Committee directs FHWA to report to Congress within 120 days on all measures taken to ensure State departments of transportation and other contracting agencies are in full compliance with the competitive bidding principles in 23 U.S.C. 112.

*Safe routes to schools.*—The Committee recognizes the important role infrastructure investments, education, and enforcement efforts can have in ensuring safe access to schools. Investments in sidewalks, bike paths, and alternative transportation have proven to increase safety and decrease the number of deaths and injuries associated with commutes to school. The Committee encourages the Secretary and States to prioritize infrastructure investments that will facilitate changes to pedestrian and driver behavior and that will have immediate improvements in student safety.

*Highway 69 safety report.*—The Committee recognizes that congestion and accidents are increasing on Highway 69 in Kansas, especially where interstates intersect with the two-lane State highway. This route receives heavy traffic due to its close-proximity to a State border, and the route provides direct access to high-employment areas. As a result, the Committee encourages the Secretary to work with the Kansas department of transportation to complete a report on options that could improve safety along this critical route.

*Eastern Federal Lands Highway Division (EFLHD) disaster recovery.*—The Committee urges the Secretary to ensure the full allocation of authorized funds for the EFLHD so that it can act as a single entity to complete the rebuilding process from damages caused by hurricanes in the noncontiguous States and territories. The EFLHD's role includes procuring the construction, construction management, and inspection for the complete rebuilding process.

*Tribal Transportation Program.*—The Tribal Transportation Program provides key access to basic community services to enhance the quality of life in Indian country. Consistent with the FAST Act, the Committee provides \$505,000,000 for the program.

*Cap park development.*—The Committee notes the growing interest in communities across the country in developing cap parks—capping a highway and placing a park there. Cap parks connect neighborhoods that have long been divided by highways, reduce traffic congestion, improve air quality, and bring green space to our highways and roads. The Committee encourages State departments of transportation to work with metropolitan planning organizations to further the development of cap parks across the country.

*Cost of contracting.*—The Committee is concerned about how State departments of transportation are allocating staffing resources. The Committee directs the GAO to report on how State departments of transportation complete engineering and design work for projects using Federal funds. The report should address how State departments of transportation complete such work, the percentage of the work that is completed by private contractors and the percentage that is completed by State employees. The report should include: the estimated cost of procuring the services under a contract, the estimated costs to the State of negotiating and awarding the contract, and the estimated cost to the State of supervising, monitoring, and overseeing the contract. In addition, the report should include an estimate of the cost of having the services performed by State staff (or a government agency assisting the State, including salaries and benefits), and other costs that can be attributed solely to the performance of the services by staff and that would not otherwise be incurred by the State.

*Border State infrastructure.*—The Department shall encourage States using Federal funds designated for border-State infrastructure to ensure participation of city and county governments along the U.S.-Mexico border in project selection processes. The Committee directs the Department to report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act on its progress.

*Transportation infrastructure and military installations.*—States and local communities have historically been responsible for costs associated with construction and maintenance of off-base surface transportation and other transportation infrastructure surrounding Department of Defense installations. This infrastructure serves two purposes: to support civilian life and the neighboring military installation’s operations. The Committee directs the Department of Transportation, in conjunction with the Department of Defense, to compose a report on the state of transportation safety, economic competitiveness, quality of life, environmental protection, and state of good repair of off-base surface transportation surrounding Department of Defense installations with recommendations for improvements.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2019 .....	\$46,007,596,000
Budget request, fiscal year 2020 .....	47,104,092,000
Recommended in the bill .....	47,104,092,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+1,096,496,000
Budget request, fiscal year 2020 .....	— —

COMMITTEE RECOMMENDATION

The Committee recommends a liquidating cash appropriation of \$47,104,092,000. This is the amount required to pay the outstanding obligations of the highway program at levels provided in this Act and prior appropriations Acts.

## HIGHWAY INFRASTRUCTURE PROGRAMS

Appropriation, fiscal year 2019 .....	\$3,250,000,000
Budget request, fiscal year 2020 .....	300,000,000
Recommended in the bill .....	1,750,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	-1,500,000,000
Budget request, fiscal year 2020 .....	+1,450,000,000

The FAST Act provides contract authority for programs administered by FHWA and funded from the Highway Trust Fund. This account provides additional funds from the general fund of the Treasury for certain programs funded by formula under the FAST Act and other important safety and management priorities administered by the FHWA.

## COMMITTEE RECOMMENDATION

The Committee recommends \$1,750,000,000 for Highway Infrastructure Programs. The following table provides funding levels for activities within this account:

	Request	Recommendation
Competitive Bridge Program .....	\$300,000,000	---
Surface Transportation Block Grant .....	---	1,493,100,000
Puerto-Rico—Surface Transportation Block Grant .....	---	5,451,000
Territories—Surface Transportation Block Grant .....	---	1,449,000
Nationally Significant Federal Lands and Tribal Projects .....	---	166,000,000
Competitive Grants for Highway Grade-Crossings .....	---	50,000,000
Advanced Digital Construction Management System .....	---	15,000,000
Regional Infrastructure Accelerator .....	---	12,000,000
National Road Network Pilot Program .....	---	5,000,000
Study on Tribal Transportation .....	---	2,000,000
Total .....	300,000,000	1,750,000,000

*Nationally Significant Federal Lands and Tribal Projects.*—Notwithstanding section 1123 of the FAST Act, funds appropriated by this Act for the Nationally Significant Federal Lands and Tribal Projects under section 1123 of the FAST Act shall be prioritized to maintain and repair roadways that have a higher than average daily use by commuters and non-recreation visitation. Grants shall also prioritize roadways that in the prior fiscal year have been closed or had speed reductions due to unsafe travel conditions as a result of the roadway’s infrastructure condition and maintenance.

*Study on Tribal transportation.*—The Committee provides \$2,000,000 for research that leads to decreases in highway and pedestrian fatalities among tribal populations. This research should build on reports mandated in the FAST Act and should be competitively awarded to State governments, academic institutions, or non-profits with both existing partnerships among tribal governments and which have traffic safety and transportation research expertise. Research should focus on priority areas identified in FHWA’s 2018 report “Options for Improving Transportation Safety in Tribal Areas”.

*National Road Network Pilot Program.*—The Committee provides \$5,000,000 for a National Road Network Pilot Program. Under the pilot program, the Committee directs FHWA to create a dataset which should support interagency use. As part of that dataset, FHWA should complete outreach to States to assist with improved

and standardized reporting of data that are attached to their linear road networks. FHWA may connect to databases produced by States or other Federal agencies to provide real-time information. The Committee intends for purchases of software and hardware to be eligible expenses under this heading.

*Advanced Digital Construction Management Systems.*—Advanced Digital Construction Management Systems are defined as commercially-proven digital technologies and processes for management of construction and engineering activities, including systems for infrastructure planning and coordination, construction, maintenance, modernization and management, asset management systems for machines, site equipment, and personnel. Project delivery systems for project management are also included. The Committee intends for software, hardware, services, and employee training on the use and management of Advanced Digital Construction Management Systems to be eligible expenses under this heading.

#### ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

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

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

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

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

Section 124 requires 60-day notification to the Committees on Appropriations of any grants as authorized under 23 U.S.C. 117.

Section 125 allows State DOTs to repurpose certain highway project funding to be used within 5 miles of its original designation.

Section 126 removes a prohibition on two-way tolling on the Verrazzano-Narrows bridge between Brooklyn and Staten Island, New York.

Section 127 removes the annual cap from Emergency Relief for Puerto Rico and the United States Territories.

Section 128 directs FHWA to make determinations on Buy America Waivers that were submitted before April 17, 2018.

Section 129 repeals a prohibition on removing a bridge in Boston, Massachusetts.

Section 129A clarifies that FHWA should apply penalties for States without a State Asset Management Plan only to funds provided in 2019 and after.

#### FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

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

FMCSA resources are used to prevent and mitigate commercial vehicle accidents through regulation, enforcement, stakeholder training, technological innovation, and improved information sys-

tems. FMCSA also is responsible for enforcing Federal motor carrier safety and hazardous materials regulations for all commercial vehicles entering the United States along its southern and northern borders.

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2019 .....	\$284,000,000
Budget request, fiscal year 2020 .....	288,000,000
Recommended in the bill .....	288,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+4,000,000
Budget request, fiscal year 2020 .....	---

This account controls FMCSA’s spending on salaries, operating expenses, and research. It provides resources to support motor carrier safety program activities and to maintain the agency’s administrative infrastructure. This funding supports nationwide motor carrier safety and consumer enforcement efforts, including the Compliance, Safety, Accountability Program, regulation and enforcement of freight transport, and safety enforcement at the United States’ borders. These resources also fund regulatory development and implementation, information management, research and technology, safety education and outreach, and the safety and consumer telephone hotline.

COMMITTEE RECOMMENDATION

The Committee recommends \$288,000,000 for the Operations and Programs account, consistent with the amounts authorized in the FAST Act. Obligation limitation is available for one year, except for \$9,073,000 for research and technology which is available for two years, until September 30, 2022.

*30-minute rest breaks.*—When considering exemptions to the 30 minute rest break regulation, the Committee encourages FMCSA to consider the safety implications of making routine stops during the day, of drivers remaining physically active during non-driving periods, and of adding additional vehicle miles operated to the roads.

*Transponder-based weigh station technology report.*—The Committee looks forward to receiving FMCSA’s study requested in House Report 115–750 on transponder-based electronic screening and the effects of replacing that technology with license plate readers.

*Overdue statutorily required rulemaking.*—Within three months of enactment of this Act, the Committee requests a full report and timeline for completion of the outstanding, mandated rules included in the FAST Act and the Moving Ahead for Progress in the 21st Century (MAP–21) Act (P.L. 112–141).

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

Appropriation, fiscal year 2019 .....	\$382,800,000
Budget request, fiscal year 2020 .....	387,800,000
Recommended in the bill .....	388,800,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+6,000,000
Budget request, fiscal year 2020 .....	+1,000,000

This account controls FMCSA’s spending on motor carrier safety grants. Those grants are used to support compliance reviews in the States, identify and apprehend traffic violators, conduct roadside inspections, and conduct safety audits of new entrant carriers. Additionally, grants are provided to States for improvement of State commercial driver’s license oversight activities.

COMMITTEE RECOMMENDATION

The Committee recommends \$388,800,000, for the Federal Motor Carrier Safety Grant program, consistent with the amounts authorized in the FAST Act. Obligation limitation is available for one year. The following table provides funding levels for activities within this account:

	Request	Recommended
Motor Carrier Safety Assistance program .....	\$308,700,000	\$308,700,000
Commercial Driver’s License Program .....	33,200,000	33,200,000
High Priority Activities Program .....	44,900,000	44,900,000
Commercial Motor Vehicle Operators Grants .....	1,000,000	2,000,000
Total .....	387,800,000	388,800,000

*Commercial motor vehicle operators grants.*—Local centers of education invest these grants in supporting scholarships for veterans and their family members to complete Commercial Driver’s License-A programs. As a result, the Committee doubles the funding for such grants.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY  
 ADMINISTRATION

Section 130 requires FMCSA to send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or some other manner of delivery that records receipt of the notice by the persons responsible for the violations.

Section 131 prohibits funds from being used to enforce the requirements of section 31137 of title 49, or any regulation pursuant to such section, with respect to carriers transporting livestock or insects.

Section 132 requires FMCSA to update annual inspection regulations to require that rear underride guards be inspected annually.

Section 133 prohibits funds from being used to review and issue a decision on petitions to preempt certain State meal and rest break laws.

Section 134 requires FMCSA to make data on the Compliance, Safety, Accountability program publicly available.

Section 135 prohibits FMCSA from promulgating or enforcing a rule that eliminates the 30-minute rest break specified in part 395 of title 49, Code of Federal Regulations.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

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

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

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

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

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

Appropriation, fiscal year 2019 .....	\$190,000,000
Budget request, fiscal year 2020 .....	151,000,000
Recommended in the bill .....	214,073,440
Bill compared with:	
Appropriation, fiscal year 2019 .....	+24,073,440
Budget request, fiscal year 2020 .....	+63,073,440

The operations and research appropriation supports vehicle safety programs and NHTSA’s administrative expenses. These programs include research and analysis to establish best practices, guidance for vehicle safety, and rulemakings on safety and fuel economy standards. The account also includes enforcement of safety regulations including, ensuring industry compliance with motor vehicle safety standards, investigations of safety related defects and oversight of manufacturer recalls. Many of these programs are conducted in partnership with State and local governments, the private sector, universities, research units, and various safety associations and organizations.

COMMITTEE RECOMMENDATION

For vehicle safety programs, funded by the general fund, under the operations and research account, the Committee recommends



\$214,073,440, consistent with the amount authorized in the FAST Act. Those amounts are available for two years, except for \$40,000,000 which is available until September 30, 2022. The following table provides funding levels for activities within this account:

	Request	Recommendation
Rulemaking .....	\$22,586,000	\$43,000,000
Enforcement .....	19,542,000	43,000,000
Research and Analysis .....	32,805,000	48,000,000
<i>(Research on Automated Driving Systems (non-add))</i> .....	<i>(15,000,000)</i>	<i>(18,500,000)</i>
Administrative Expenses .....	76,067,000	80,073,440
Total .....	151,000,000	214,073,440

*Office of Defects Investigation (ODI).*—Of the amounts provided for enforcement, \$32,548,000 shall be for ODI. The Committee is deeply concerned that the Department of Transportation Inspector General identified that ODI lacks adequate process and oversight for passenger vehicle recalls. The Committee directs ODI to strengthen its collection and analysis of early warning data and vehicle defects, enhance defect investigations using risk-based process, and increase enforcement to mitigate the impact of serious safety defects on drivers. Within 180 days of enactment of this Act, the Committee directs NHTSA to report to the Committee as to how it will implement these provisions. The Committee provides \$43,000,000 for enforcement, a \$10,000,000 increase over fiscal year 2019 and \$23,500,000 over the President’s request.

*Autonomous vehicles.*—Autonomous vehicles (AVs) have the potential to fundamentally transform transportation networks by reducing the number of lives lost on our roads and by improving mobility options. Research into the safety and operations of these new technologies is a key part of NHTSA’s mission. To that end, the Committee provides not less than \$18,500,000 for NHTSA to continue research on AVs, automated driving systems (ADS), advanced driver assistance systems (ADAS), and vehicle electronics and cybersecurity. The Committee anticipates that NHTSA will include analysis of both vehicles without drivers and without passengers in its analysis. The Committee expects that when making decisions about how to utilize funds provided in this Act and by prior appropriation Acts, the Secretary will prioritize the ten AV proving grounds that were identified by the Department in January 2017.

The Committee is concerned that the development of AVs is not receiving sufficient oversight from NHTSA. The Committee supports performance based minimum standards for AVs and directs NHTSA to collaborate with the Office of the Secretary to ensure that AVs are safe for occupants, other drivers, pedestrians and cyclists. The Committee directs NHTSA to report to the House and Senate Committees on Appropriations on their plans to collaborate within 180 days of enactment of this Act. In addition, the Committee directs NHTSA to develop regulations providing common terminology for the identification of vehicles equipped with advanced driver assistance systems and “highly automated” vehicle systems.

The Committee finds that the Department of Transportation could more efficiently utilize machine learning and other advanced

computing methods to support the advanced performance of AVs. The Committee encourages NHTSA to pursue a program of research that integrates machine learning and other advanced computing methods that would support State government assessment of AV readiness, infrastructure monitoring, and assessments of improved situational awareness and response latency.

While the Committee recognizes the vast potential of automated vehicles, the Committee is concerned that this technological transformation may displace workers who currently earn their living driving a vehicle. The Committee encourages DOT to consider the potential for job displacement and urges DOT to convene relevant public and private stakeholders to develop a national strategy to address this issue.

*Truck underride safety research.*—The Committee notes that NHTSA’s proposed rulemaking in December 2015 to update truck rear impact guard requirements cited 362 annual fatalities associated with light vehicle crashes into the rear of trucks. The Committee supports the March 2019 GAO (GAO–19–264) recommendations that NHTSA develop a standardized definition of underride crashes and data, share information with police departments on identifying underride crashes, establish annual inspection requirements for rear guards, and conduct additional research on side underride guards. The Committee directs NHTSA to implement the GAO recommendations and to complete a rulemaking to improve rear guards to meet the Insurance Institute for Highway Safety standards for Toughguard awards. The Committee directs NHTSA to continue working with relevant experts and stakeholders, including researchers, engineers, safety advocates, and the trucking industry, to facilitate the deployment and adoption of rear and side underride protection devices.

*Crashworthiness research.*—The Committee recognizes the importance that lightweight plastics and polymer composites play to improve automotive safety, meet consumer demand for innovative vehicles, increase fuel efficiency, and support new U.S. highly skilled manufacturing jobs. NHTSA is encouraged to focus on updating the countermeasures in its frontal, side, rollover, front seatbacks and lower interior impacts for children and small adults as well as pedestrian crashworthiness projects, with an emphasis on vehicle lightweighting in both traditional and autonomous vehicle structural designs. NHTSA should leverage lessons learned from lightweight materials research at the Department of Transportation, the Department of Energy, and by industry stakeholders in its development of safety-centered approaches for future lightweight automotive design.

*Automatic emergency brakes.*—The Committee finds that including automatic emergency brakes on vehicles can reduce front-to-rear traffic incidents by more than 50 percent. On October 16, 2015, NHTSA accepted a petition to complete a rulemaking on automatic emergency brakes. In order to facilitate the rulemaking, the Committee directs NHTSA to initiate and complete field operational testing of automatic emergency braking technology on commercial motor vehicles by December 31, 2021, and to update the House and Senate Committees on Appropriations regarding the findings of the testing.

*Overdue rulemaking.*—The Committee is extremely concerned by NHTSA’s lack of progress on critical rulemakings that the agency has been directed to complete in both the FAST Act and MAP–21. To address these overdue rulemakings, the Committee has provided \$43,000,000 for rulemakings, and directs NHTSA to complete rulemakings that are overdue based on the April 2019 Significant Rulemaking Report or the Fall 2018 Semi-Annual Regulatory Agenda. In addition, within six months of enactment of this Act, the Committee directs the Administrator to submit a full report and timeline for completion of the overdue, mandated rules included in the FAST Act and MAP–21.

*Motorcoach safety.*—Section 32703 of MAP–21 required DOT to issue rules requiring seatbelts on motorcoaches, regulations for roof strength, anti-ejection safety countermeasures, and rollover crash avoidance. The Committee requests an immediate update on the Department’s progress in implementing the motorcoach safety standards outlined in MAP–21.

*New Car Assessment Program (NCAP).*—Section 24321 of the FAST Act directed NHTSA to complete a rulemaking to integrate crash avoidance technology information into the safety rating information provided to buyers. The Committee recognizes NCAP has encouraged vehicle manufacturers to design higher levels of safety into their vehicles and improved consumer awareness of vehicle safety. However, the Committee is concerned that crashworthiness standards have not kept pace with technological advances that have occurred since the last update to NCAP. The Committee encourages NHTSA to update the standards applicable to crash tests and the resulting labels that are required on new vehicles. The Committee directs NHTSA to report to the House and Senate Committees on Appropriations within 180 days of enactment of this Act on plans to update the NCAP standard, and include, but not be limited to, a timeline and comparison to Euro NCAP. The Committee also encourages NHTSA to include ratings on pedestrian and bicyclist safety, advanced driver assistance systems, and injury criteria specific to older occupants when updating NCAP.

*Rear-end collision avoidance systems.*—The Committee directs NHTSA to study the safety effectiveness of rear-end collision avoidance systems that mitigate and prevent rear-end collisions. Among a variety of technologies, the study should include the effectiveness of pulsating light systems in motor vehicles. The Committee encourages NHTSA to begin this review within 90 days of enactment of this Act. Upon completion of the necessary research, NHTSA should initiate a rulemaking to revise Federal Motor Vehicle Safety Standards (FMVSS) 108, establish the parameters for the types of systems that should be permitted, and issue a minimum performance standard for those systems.

*Digitized odometer disclosure systems.*—The Department of Transportation estimates that more than 450,000 vehicles are sold each year with false odometer readings, costing American car buyers more than \$1,000,000,000 annually. MAP–21 required NHTSA to adopt schemes for electronic odometer disclosure statements but NHTSA has not promulgated the rule. Technologies, including blockchain, will permit the odometer validation process to be digitized. In order to remove impediments for States that may be interested in evaluating the feasibility of odometer disclosures

based on emerging technologies, including but not limited to blockchain, the Committee encourages NHTSA to complete the rulemaking by December 31, 2021.

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

Appropriation, fiscal year 2019 .....	\$152,100,000
Budget request, fiscal year 2020 .....	155,300,000
Recommended in the bill .....	155,300,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+3,200,000
Budget request, fiscal year 2020 .....	-- --

This account controls NHTSA's spending from the Highway Trust Fund for Highway Safety Research and Development programs. Many of these programs are conducted in partnership with State and local governments, the private sector, universities, research units, and various safety associations and organizations. Programs funded by this account include research, demonstrations, and technical assistance to State and local governments around behavioral aspects of driver, occupant, and pedestrian behavior. This account also funds NHTSA's National Center for Statistics and Analysis which collects and analyzes crash data and provides technical assistance to support State highway safety activities.

COMMITTEE RECOMMENDATION

For behavioral safety research funded by the operations and research account, the Committee recommends \$155,300,000 in liquidating cash and obligation limitation, consistent with the FAST Act. Obligation limitation is available for one year, except for \$20,000,000 which is available until September 30, 2021.

*Highway fatalities.*—Highway fatalities totaled more than 37,100 in 2017, with alcohol impaired deaths totaling nearly 11,000 and speeding related fatalities totaling nearly 10,000. Conquering persistent problems with speed, seat belt use, distraction, and alcohol and drug impaired driving requires a joint effort among government, industry stakeholders and law enforcement. Funding and programs in this title are intended to address the public health need of reducing highway fatalities and injuries. The Committee directs NHTSA to implement a national campaign to reduce highway fatalities, working with other Federal agencies, the States, law enforcement, the public health community, industry, and others who can contribute to the goal of saving lives in an expedited manner. An initial report on the agency's plans and progress on this campaign should be provided to the House and Senate Appropriations Committees no later than 90 days after enactment of this Act. The report should include specific goals and any impediments to achieving those goals.

*Road to Zero coalition.*—The Committee believes that substantial gains in reducing roadway fatalities can be recognized in the coming years through a combination of technology and prioritizing safety programs. The Road to Zero coalition, which is supported by

FHWA, FMCSA, and NHTSA, is committed to a goal of zero fatalities by 2050. This coalition is a broad-based, diverse group comprised of individuals, academia, associations, safety groups, businesses and others. The Committee urges the Department to continue its involvement with and support of the Road to Zero coalition.

*Advanced drunk driving technology.*—The Driver Alcohol Detection System for Safety (DADSS) program is vitally important, as drunk driving continues to claim more than nearly 11,000 lives annually. An effective technology like DADSS has the potential to save 70 percent of those lives. As funding for the research program comes to an end this fiscal year, the next step must be to transfer the results to auto manufacturers and suppliers who have the real-world expertise to integrate technologies into vehicles as part of the ongoing product development process. NHTSA is directed to focus future work under the DADSS program on technology transfer so the DADSS technology can be made available to the driving public as soon as possible. The agency is further directed to provide a plan on accomplishing this transfer to the Committee within 180 days of enactment of this Act.

*Drug-impaired driving.*—As drugged driving remains a growing concern due to the increase in States legalizing marijuana use and the persistence of the opioid crisis, the Committee supports the recommendations of the National Transportation Safety Board that DOT work with the Department of Health and Human Services to develop an impairment standard for drugs. The Committee urges NHTSA to coordinate research efforts with the States and other partners aimed at developing a reliable standard for all types of impaired driving, including marijuana impairment. The Committee directs NHTSA to continue its research efforts aimed at identifying and documenting drug-impaired drivers.

The Committee recognizes that developing a standard measurement of marijuana impairment, similar to blood alcohol concentration, remains unlikely in the near term and that resources are well spent on increasing law enforcement officers' ability to detect driver impairment for multiple substances. The Committee directs NHTSA to continue to robustly support police training programs, particularly Drug Recognition Expert (DRE) and Advanced Roadside Impaired Driving Enforcement (ARIDE) training, and to prioritize the study and development of a standardized field sobriety test (SFST) to detect marijuana impairment. These programs support law enforcement identification of people who may be impaired due to marijuana or other drugs. Of the amounts provided under the description Impaired and Drug Impaired Driving as part of NHTSA's Highway Safety Programs, the Committee provides an additional \$250,000 under this heading to support DRE and ARIDE.

*Child hyperthermia.*—The Committee is deeply concerned about the ongoing crisis involving children dying of hyperthermia after being left alone in motor vehicles. NHTSA must pursue a two-pronged strategy of public education and technology solutions. Continued public education activities should include aggressive media and community outreach and dynamic highway message signs during the hot weather season. NHTSA should encourage States with high numbers of fatalities to implement state-wide task forces to

address the problem. Because any technology solutions will take years to phase into the vehicle fleet, the Committee directs NHTSA to encourage the automotive industry to voluntarily offer warning and alert systems which can help prevent these deaths.

The Committee directs NHTSA to continue to conduct a high-visibility media campaign on child hyperthermia with a special emphasis on the 15 States with the highest number of child heat-stroke fatalities in 2017 and 2018. The Committee further directs NHTSA to immediately provide a status update to the House and Senate Committees on Appropriations regarding NHTSA's activities and plans for combating child hyperthermia. Of the amounts made available under this heading, no less than \$1,500,000 shall be available for such a media campaign.

*High-risk vehicle events.*—For two decades automobile incidents have been a leading cause of death and injuries for members of law enforcement. Pursuit fatalities on our nation's roads and highways have increased for the last four years with a 22 percent spike over 2013. While NHTSA currently collects data on first responder vehicles that are involved in fatalities during police-pursuits, that data is subject to significant underreporting. The Committee directs NHTSA, in partnership with police jurisdictions, to conduct a study that would lead to the development of accurate reporting and analyses of crashes that involve police pursuits.

*Drinking age in Puerto Rico and the U.S. Virgin Islands.*—The Committee directs DOT to update the Committee not later than 120 days after enactment of this Act regarding policy proposals or initiatives that the Department believes would lead the territories to implement a drinking age of 21 years of age. The Committee directs NHTSA to coordinate with the FHWA in order to include information about the amount of funds that Puerto Rico has not received over the last ten years due to the penalties imposed as a result of having a drinking age of 18. The Committee further encourages NHTSA to work with the governments of Puerto Rico and U.S. Virgin Islands to determine existing impediments and possible solutions to implementing a 21-year-old drinking age.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2019 .....	\$610,208,000
Budget request, fiscal year 2020 .....	623,017,000
Recommended in the bill .....	623,017,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+12,809,000
Budget request, fiscal year 2020 .....	— — —

This account controls NHTSA's spending on grants to States that were authorized in the FAST Act. The grant programs include: Highway Safety Programs, the National Priority Safety Program, and the High Visibility Enforcement Program. These grants provide flexible funding to States that develop a Highway Safety plan to address State highway safety issues. This account also includes incentive grants to States that meet specific statutory criteria in

areas such as impaired and distracted driving, occupant protection, motorcyclist safety, and nonmotorized safety.

COMMITTEE RECOMMENDATION

The Committee recommends \$623,017,000 in liquidating cash from the Highway Trust Fund to pay outstanding obligations of the Highway Traffic Safety Grant programs at the levels provided in this Act and prior appropriations Acts. The Committee also recommends limiting the obligations from the Highway Trust Fund in fiscal year 2020 for the Highway Traffic Safety Grants to \$623,017,000. These levels are consistent with the amounts in the FAST Act and the budget request. The following table provides funding levels for activities within this account:

	Request	Recommendation
State and Community Highway Safety Grants .....	\$279,800,000	\$279,800,000
National Priority Safety Programs .....	285,900,000	285,900,000
High Visibility Enforcement Program .....	30,500,000	30,500,000
Administrative Expenses .....	26,817,000	26,817,000
Total .....	623,017,000	623,017,000

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

*Distracted driving.*—Distracted driving continues to be a significant safety problem on our roadways. The Committee finds that distraction plays a role in almost ten percent of fatal traffic crashes that occur in the United States. In order to educate people about the dangers of distracted driving, NHTSA provides vital grants to States and conducts media campaigns to educate the public about the dangers of distracted driving. The Committee continues to fund NHTSA programs that support State efforts to educate the public and to enforce laws promoting safe driving habits and prevent unnecessary deaths. Further, the Committee urges the Secretary, in conjunction with other agencies, to complete guidelines promulgated in 2016 to address driver distraction caused by mobile devices in vehicles, especially through the use of driver-modes. The Act provides \$24,000,000 for distracted driving grants under 23 U.S.C. 405.

*High visibility enforcement campaigns.*—High visibility enforcement campaigns are an effective, evidence-based, traffic safety countermeasure. The Committee continues to support these campaigns and provides substantial resources to conduct them throughout the year. The Click It or Ticket high visibility enforcement campaign has played a significant role in achieving the current national seat belt use rate of approximately 90 percent and also aims to increase the use of child safety seats. The Committee encourages NHTSA to expand messaging about the use of child safety seats in national and State Click It or Ticket activities, as part of Child Passenger Safety week, or through other appropriate venues.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY  
ADMINISTRATION

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

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

Section 142 prohibits funds from being used to mandate global positioning system tracking without providing full and appropriate consideration of privacy concerns under 5 U.S.C. Chapter 5, subchapter II.

Section 143 provides additional funding for highway safety programs.

Section 144 provides additional funding for a study on children in vehicles equipped with automated driving systems.

Section 145 prohibits funds from being used to finalize or enforce “The Safer Affordable Fuel-Efficient Vehicles Rule.”

Section 146 prohibits funds from being used to enforce certain State maintenance of effort requirements under 23 U.S.C. 405.

FEDERAL RAILROAD ADMINISTRATION

The Federal Railroad Administration (FRA) was established by the Department of Transportation Act, on October 15, 1966. FRA plans, develops, and administers programs and regulations to promote the safe operation of freight and passenger rail transportation in the United States. The U.S. freight railroad system consists of over 600 railroads with 167,000 employees, and 140,000 miles of track, which deliver approximately 5,000,000 tons of goods each day. In addition, FRA oversees grants to the National Railroad Passenger Corporation (Amtrak) with the goal of assisting Amtrak with improving its passenger rail service and physical infrastructure.

SAFETY AND OPERATIONS

Appropriation, fiscal year 2019 .....	\$221,698,000
Budget request, fiscal year 2020 .....	213,134,000
Recommended in the bill .....	226,698,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+5,000,000
Budget request, fiscal year 2020 .....	+13,564,000

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

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$226,698,000 for the Safety and Operations account. Of the amount provided under this heading, \$20,000,000 is available until expended. The following table provides funding levels for activities within this account.

	Request	Recommendation
Safe Transportation of Energy Products .....	---	\$2,000,000



	Request	Recommendation
Automated Track Inspection Program and Data Analysis .....	\$9,500,000	16,500,000
Railroad Safety Information System and Front End Interface .....	3,700,000	4,800,000
Positive Train Control Support Program .....	13,000,000	13,000,000
Confidential Close Call Reporting System .....	2,600,000	3,000,000
Trespasser Prevention Strategy and Risk Model .....	650,000	650,000
Highway-rail Grade Crossing Safety .....	1,000,000	1,000,000
National Bridge System Inventory Update and Model Modification .....	600,000	600,000

*Competitive grants and staffing.*—The Committee remains concerned with the Department’s slow pace in executing FRA’s competitive grant programs. The Committee notes with disappointment that FRA has failed to select projects for three competitive grant programs with more than \$640,000,000 in fiscal year 2017 and fiscal year 2018 appropriated funding available. To date, FRA has also failed to issue a single Notice of Funding Opportunity (NOFO) for four competitive grant programs with \$670,000,000 in fiscal year 2019 appropriated funding available. The Committee recognizes that competitive grant programs require dedicated staff to issue NOFOs, review applications, and select projects for awards. Therefore, the Committee recommendation provides \$1,500,000 for the Office of Railroad Policy and Development to hire additional staff to support the review, selection, and project management oversight of competitive grants. FRA shall deliver a report to the House and Senate Committees on Appropriations within 120 days of enactment of this Act detailing staffing and hiring plans for fiscal year 2020 to support this work.

*Safe transportation of energy products.*—The Committee recommendation supports FRA’s safe transportation of energy products programs, which include safety inspectors, safety route managers and tank car quality assurance specialists, tank car research, and increased mileage of the Automated Track Inspection Program on routes that carry energy products.

*Automated Track Inspection Program (ATIP).*—ATIP uses track geometry measurement vehicles to automatically measure track conditions which supplement the work of FRA inspectors to ensure railroads are compliant with FRA Track Safety Standards. The Committee recommendation supports the inspection of passenger rail routes, commuter rail routes, and routes that carry energy products and other hazardous materials, and further enhancements to ATIP’s inspection capabilities. The Committee notes that funds provided for the ATIP program in fiscal year 2020 are available to inspect tracks and analyze data from ATIP operations and inspections.

*Positive Train Control (PTC).*—The Committee notes that significant progress has been made by railroads, passenger railroads, and commuter railroads to implement PTC, with PTC systems in operation on almost 46,000 of the nearly 58,000 route miles required under the Rail Safety Improvement Act of 2008 (P.L. 110–432) as of December 31, 2018. The Committee commends the four railroads that fully implemented an FRA-certified and interoperable PTC system on all of their required route miles by December 31, 2018, and notes that 37 railroads requested and received approval from FRA for an Alternative Schedule. FRA and railroads must now focus on addressing software issues and achieving PTC interoperability. As of December 31, 2018, only 16 percent of approximately

233 host-tenant railroad relationships had achieved PTC interoperability. The Committee directs FRA to continue to work with railroads on PTC testing and interoperability, provide technical assistance, actively monitor industry-wide progress, and take enforcement actions, including civil penalties, as necessary. In addition, the Committee directs FRA to continue to brief the House and Senate Committees on Appropriations on progress by railroads to implement PTC. Such briefings should occur at least every 90 days until December 31, 2020.

*Confidential Close Call Reporting System (C3RS).*—The Committee commends FRA for its efforts to increase participation in C3RS, a voluntary program that enables participating railroads and their employees to identify, analyze, and mitigate safety risks and improve safety culture. C3RS also provides a confidential mechanism for industry-wide information sharing and best practices. The Committee continues to direct FRA to work with railroads and their employees to explore ways to increase participation in C3RS.

*Trespasser prevention.*—Pedestrian trespassing on railroad property is the leading cause of all rail-related fatalities, and there has been no progress in reducing the number of deaths from pedestrian trespassing. In February 2019, FRA submitted a report to Congress on the National Strategy to Prevent Trespassing on Railroad Property as required in House Report 115–237. The report found that annual trespass-related pedestrian fatalities, excluding suicides, have increased 18 percent from 2012 to 2017; 74 percent occurred within 1,000 feet of a grade crossing; and 14 percent occurred in 10 counties in four States. The Committee remains concerned with these trends, and directs FRA to work with communities, State and local agencies, law enforcement, railroads, advocacy organizations, and others to complete the milestones outlined in the National Strategy. Further, the Committee directs FRA to update the report to Congress with the most current data available, FRA’s progress on the milestones, and any potential new initiatives to reduce trespasser fatalities. The updated report shall be submitted no later than June 30, 2020.

The Committee understands information from railroads, like confidential close call reporting, could improve FRA’s ability to identify areas that are at high risk of trespasser accidents. The Committee recognizes that there are valid concerns by railroads and their employees with sharing such data with FRA. Therefore, the Committee encourages FRA to develop a rail information sharing mechanism which would enable data collection, deidentification, and analysis by a third-party in a confidential manner.

*Highway-rail grade crossing safety.*—Highway-rail grade crossing collisions are the second leading cause of all rail-related fatalities in the United States. There are over 252,000 highway-rail grade crossings in the U.S., of which about 129,800 are located on publicly owned or maintained roads. More than half of all public crossings are equipped with active warning devices, however, 68 percent of collisions occur at crossings with active, functional warning devices. The Committee understands FRA is working with railroads, technology developers and manufacturers, State and local agencies, law enforcement, and others to identify technology solutions and barriers to implementing technologies to improve the safety of

highway-rail grade crossings. The Committee looks forward to the results of FRA's stakeholder engagement, and directs FRA to brief the House and Senate Committees on Appropriations within 120 days of enactment of this Act on potential technology solutions and recommendations relating to the implementation of such technologies. Further, the Committee encourages FRA to continue public outreach and education programs, and to increase law enforcement partnerships to help reduce the number of highway-rail grade crossing collisions.

*Blocked railroad crossings.*—The number of complaints the Surface Transportation Board's Rail Customer and Public Assistance Program fielded relating to railroad blocked crossings jumped from eight in 2016 to 85 in 2018. Further, the Committee understands FRA has received nearly 1,000 formal complaints over the past three fiscal years on blocked railroad crossings. The Committee is concerned with the increase in the prevalence of railroad crossings blocked by trains, and the potential impacts to communities and safety. The Committee directs FRA to work with State and local agencies, law enforcement, railroads, and others to examine this problem, collect data, identify trends, and develop recommendations to reduce the number and frequency of blocked railroad crossing occurrences. FRA is directed to brief the House and Senate Committees on Appropriations within 180 days of enactment of this Act on its progress on these actions.

*On-time performance.*—A significant obstacle to establishing new passenger rail service or adding frequencies is the ability to obtain reliable access to host railroad tracks. The Committee recognizes the challenges host railroads face in balancing the demands of passenger and freight trains, which can impact on-time performance. These challenges are regularly seen in Amtrak's existing service. In fiscal year 2018, Amtrak's long-distance trains were on time at stations only 44 percent of the time, while Amtrak's state-supported trains were on time about 80 percent of the time. Congress sought to address on-time performance in the Passenger Rail Investment and Improvement (PRIIA) Act of 2008 (P.L. 110-432), and closely followed FRA's and Amtrak's efforts to develop new or improve existing metrics and minimum standards for measuring the performance and service quality of intercity passenger train operations as required under section 207 of PRIIA. This culminated in FRA publishing Metrics and Standards for Intercity Passenger Rail Service in May 2010. Following several years in Federal court, the Committee understands that a 2018 ruling would allow FRA and Amtrak to carry out the directives in section 207 of PRIIA. Therefore, the Committee directs FRA to work with Amtrak, the Surface Transportation Board, and others to develop such metrics and standards and encourages FRA to conduct a process similar to the development and adoption of the 2010 metrics and standards, including working jointly with Amtrak, soliciting the views of railroads, seeking public comment, and publishing final metrics and standards.

*Chicago-area on-time performance.*—The Chicago-area rail system is unique in its complexity, with about 500 freight trains and 760 passenger trains passing through the region each day. Freight trains from six Class I railroads, passenger trains from Amtrak, and commuter trains frequently interact and use the same tracks,

which can result in on-time performance challenges. The Committee directs FRA to work with railroads, Amtrak, and commuter railroads to review on-time performance, identify potential issues contributing to the frequency and length of delays, and develop recommendations on addressing these challenges. FRA is directed to brief the House and Senate Committees on Appropriations within 180 days of enactment of this Act on its progress on these actions.

*Amtrak grant agreements.*—The Committee acknowledges that FRA has a responsibility to conduct oversight of grants to Amtrak. However, it appears FRA began including new language in Amtrak's grant agreement documentation in fiscal year 2018 which requires FRA approval of financial plans through grant amendments before Amtrak may begin using appropriated funding for major construction on certain capital projects. While previous grant agreements have included procedures for approving capital projects and project reprogramming above certain monetary thresholds to ensure Amtrak's use of Federal funding were consistent with Federal law and regulations, this new and additional layer of approval required by FRA in fiscal year 2018 and again in fiscal year 2019 appears to be unnecessary. The Committee is concerned this change inserts FRA into Amtrak's selection and prioritization process for capital spending, which has been the role of Amtrak management and the Amtrak Board of Directors (Board), of which the Secretary is a member. The Committee is concerned that this new grant agreement requirement sets a precedent that reaches beyond the intended statutory framework for grants to Amtrak, and could give greater weight to FRA's decisions on financial plans than the Board. The Committee directs FRA to respect the existing statutory structure which vests the Board with decision-making powers relating to capital project selection and prioritization, including financial plans, and reminds the Department that its seat on the Board is the appropriate place to express FRA's support or concern with specific capital projects.

*Quad Cities to Chicago passenger rail service.*—The Committee is encouraged by recent progress in negotiations between the State of Illinois and the Iowa Interstate Railroad relating to planning for new Chicago to Quad Cities state-supported intercity passenger rail service. Therefore, the Committee rejects the rescissions to the Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service program proposed in the budget request, and strongly reminds the Department that this fiscal year 2010 appropriated funding is available until expended. Further, the Committee directs FRA to work with grantees to reach agreement on a multi-year extension of existing grant agreements in order to ensure funds appropriated by Congress are utilized.

*New transportation projects utilizing existing corridors.*—The Committee is aware that metropolitan planners may seek to utilize existing transportation corridors in proposing new transportation projects, including high speed rail. The Committee notes that documentation of historic disruption of affected communities and potential negative impacts to communities are to be considered in the documentation required under the National Environmental Policy Act (NEPA). The Committee directs the Department to ensure NEPA documentation for projects which propose to utilize existing transportation corridors includes documentation of the effects of

the historic disruption of affected communities. Further, the Committee encourages the Department to evaluate the impact of new transportation projects and their utilization of existing corridors and to provide recommendations on ways to mitigate community disruption from construction and operation of new transportation projects in existing transportation corridors, including high speed rail projects.

*Safe transportation of waste and debris.*—The Committee recognizes the potential health and environmental impacts of railroads transporting waste and debris. Therefore, the Committee encourages FRA to work with railroads, the Pipeline Safety and Hazardous Materials Administration, and other Federal agencies, such as the U.S. Environmental Protection Agency, to ensure the safe transportation of waste and debris by rail.

*Train horn noise.*—In March 2016, FRA initiated a retrospective review of its locomotive train horn regulations through a Notice of Safety Inquiry. The Committee directs FRA to finalize this retrospective review, and if warranted by the review, move forward with a notice of proposed rulemaking.

RAILROAD RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2019 .....	\$40,600,000
Budget request, fiscal year 2020 .....	19,000,000
Recommended in the bill .....	41,600,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+1,000,000
Budget request, fiscal year 2020 .....	+22,600,000

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

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$41,600,000 for the Railroad Research and Development program. The Committee directs FRA to conduct research and development activities in all disciplines, including track, rolling stock, train control and communications, human factors, and railroad systems issues, in order to maximize gains in rail safety and encourages FRA to prioritize technologies that improve safety in all areas of railroad operations.

*Safe transportation of energy products.*—The Committee provides \$2,500,000 for FRA to research and mitigate risks associated with the transportation of crude oil, ethanol, liquefied natural gas (LNG), and other hazardous materials, including tank car research in partnership with other Federal agencies.

The Committee is aware of efforts to develop methods to safely use LNG as a fuel for locomotives and to transport LNG in bulk in tank cars. Therefore, the Committee directs FRA, in collaboration with the Pipeline and Hazardous Materials Safety Administration, to continue to support cooperative research on the safe use of LNG in these applications which could inform the development of new regulations.

*Positive Train Control (PTC) and cyber security.*—FRA’s research and development activities continue to advance PTC technologies, including interoperability and cyber security protection. The Committee urges FRA to establish enhanced cyber security methods, standards, and best practices for PTC systems and future versions of this technology. This could include identifying vulnerabilities and preparing for threats that could arise from updates and the migration to future designs of this technology.

*Trespasser prevention and highway-rail grade crossing safety.*—As previously noted, the Committee is concerned that the two leading causes of all rail-related fatalities continues to be pedestrian trespassing and collisions at highway-rail grade crossing intersections. The Committee urges FRA to continue research and development activities which could improve trespass detection and prevention, including at or near highway-rail grade crossings, and assist with FRA’s National Strategy to Prevent Trespassing on Railroad Property. In addition, the Committee urges FRA to continue research and development activities on grade crossing technology and engineering solutions, including human interactions with such technology.

*Short-line safety.*—The Committee provides \$3,000,000 to improve safety practices and training and develop safety management systems for Class II and Class III freight railroads. This funding supports FRA’s initiative to partner with short-line and regional railroads to build a stronger, more sustainable safety culture through safety culture assessments; training and education, including on the safe transportation of energy products and other hazardous materials; outreach activities; and research. Recognizing the success of this initiative, the Committee directs FRA to provide a report to the House and Senate Committees on Appropriations within 120 days of enactment of this Act on the feasibility of expanding safety culture assessments and training to tourist railroads, passenger railroads, and commuter railroads, including the need for such support, resources required to carry out such work, and other potential safety challenges the initiative could address.

*Research partnerships with universities.*—The Committee provides up to \$5,000,000 for partnerships with qualified universities for research related to improving the safety, capability, and efficiency of rail infrastructure, of which \$1,000,000 is to facilitate research with universities on intelligent railroad systems. This includes basic and applied research on rolling stock, operational reliability, infrastructure, inspection technology, maintenance, energy efficiency, the development of rail safety technologies such as PTC, grade crossing safety improvements, and derailment prevention, particularly for trains carrying passengers and hazardous materials. Research conducted in conjunction with FRA at universities should also facilitate the education and training of the next generation of professionals in rail engineering and transportation.

*System safety and risk reduction programs.*—The Committee recognizes that continued investments in critical rail infrastructure programs will make rail infrastructure, equipment, and the operating environment safer. Therefore, the Committee urges FRA to continue prioritizing investments in the development of technologies designed to verify the functional performance of complex electronic systems such as: PTC, automated train control, pas-

senger door control, railroad crossing equipment, communication systems, train and locomotive systems, train environmental control, railcar signs, infrastructure maintenance, and monitoring systems. The Committee recognizes the importance of deploying these technologies in new and existing systems and acknowledges investments made in such technologies by cities, transportation agencies, and railroads across the country. The Committee urges FRA to continue working with industry to develop standardized performance specifications, test and verification processes, and maintenance and diagnostics tools for such systems.

**RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM**

The Railroad Rehabilitation and Improvement Financing (RRIF) program was established in the Transportation Equity Act for the 21st Century (P.L. 105–178) to provide direct loans and loan guarantees to State and local governments, government-sponsored entities, and railroads. Credit assistance under the program may be used for rehabilitating or developing rail equipment and facilities, developing or establishing intermodal facilities, and transit-oriented development.

**COMMITTEE RECOMMENDATION**

The Committee recommendation extends the deadline by which the Secretary may provide direct loans and loan guarantees for transit-oriented development projects until September 30, 2020. Further, the Committee recommendation allows the credit risk premium for RRIF loans to be eligible for grants under the National Infrastructure Investments account.

**FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR**

Appropriation, fiscal year 2019 .....	\$400,000,000
Budget request, fiscal year 2020 .....	— —
Recommended in the bill .....	350,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	– 50,000,000
Budget request, fiscal year 2020 .....	+350,000,000

The Fixing America’s Surface Transportation (FAST) Act (P.L. 114–94) authorized the Federal-State Partnership for State of Good Repair grant program under section 11302. The purpose of these grants is to reduce the state of good repair backlog on publicly- or Amtrak-owned infrastructure, equipment, and facilities. Eligible activities include capital projects to: (1) replace existing assets in-kind or with assets that increase capacity or service levels; (2) ensure that service can be maintained while existing assets are brought into a state of good repair; and (3) bring existing assets into a state of good repair.

**COMMITTEE RECOMMENDATION**

The Committee recommendation provides \$350,000,000 for the Federal-State Partnership for State of Good Repair grant program. The Committee remains concerned with the Department’s slow pace in selecting projects to receive funding appropriated in fiscal years 2017 and 2018, and in issuing the Notice of Funding Opportunity (NOFO) for funding appropriated in fiscal year 2019. The Committee directs the Secretary to publish a NOFO consistent

with the eligibility requirements in the FAST Act for fiscal year 2020 no later than 30 days after enactment of this Act, to review all applications received in response to the NOFO, and to make awards to eligible grantees no later than 180 days after enactment of this Act.

#### CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

Appropriation, fiscal year 2019 .....	\$255,000,000
Budget request, fiscal year 2020 .....	330,000,000
Recommended in the bill .....	350,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+95,000,000
Budget request, fiscal year 2020 .....	+20,000,000

Authorized under section 11301 of the FAST Act, the purpose of the Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant program is to improve the safety, efficiency, and reliability of passenger and freight rail transportation systems. Eligible activities include a wide range of capital, regional and corridor planning, environmental analyses, research, workforce development, and training projects.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$350,000,000 for the CRISI grant program. Of the total funds provided, \$40,000,000 is for eligible projects under section 22907(c)(5) for commuter railroads that experienced at least one accident investigated by the National Transportation Safety Board between January 1, 2008 and December 31, 2018 and \$55,000,000 is for eligible projects under section 22907(c)(2) that require the acquisition of rights-of-way, track, or track structure to support the development of new intercity passenger rail service routes.

The Committee remains concerned with the Department's slow pace in selecting projects to receive funding appropriated in fiscal year 2018, and in issuing the Notice of Funding Opportunity (NOFO) for funding appropriated in fiscal year 2019. The Committee directs the Secretary to publish a NOFO for fiscal year 2020 no later than 30 days after enactment of this Act, to provide applicants 60 days to respond to the NOFO, and to make awards to eligible grantees no later than 180 days after enactment of this Act.

*Positive Train Control (PTC).*—As previously noted, significant progress has been made by railroads, passenger railroads, and commuter railroads to implement PTC, however, challenges relating to software issues and PTC interoperability continue to exist. The Committee is particularly encouraged by the efforts of commuter railroads to implement PTC, and directs FRA to continue to provide technical assistance to commuter railroads as they move toward full implementation. The Committee reminds FRA that the deployment of PTC is an eligible project under section 22907(c)(1), and PTC eligibility is expanded to include commuter railroads.

*Inland ports of entry.*—The Committee recognizes that communities with high volume international inland ports on the U.S.-Mexico border face unique transportation challenges caused by international trade and international crossings. The Committee encourages FRA to consider the impacts of these freight movements, including traffic, highway-rail grade crossings, congestion, and



safety. Further, the Committee directs FRA to report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act on the impacts of freight movements at high volume international inland ports of entry on traffic, highway-rail grade crossings, congestion, and safety.

#### RESTORATION AND ENHANCEMENT GRANTS

Appropriation, fiscal year 2019 .....	\$5,000,000
Budget request, fiscal year 2020 .....	550,000,000
Recommended in the bill— .....	— — —
Bill compared with:	
Appropriation, fiscal year 2019 .....	— 5,000,000
Budget request, fiscal year 2020 .....	— 550,000,000

The FAST Act authorized the Restoration and Enhancement Grants program under section 11303. These grants provide support for operating assistance and capital investments to initiate, restore, or enhance intercity passenger rail service.

#### COMMITTEE RECOMMENDATION

The Committee strongly opposes the proposal in the budget request to use the Restoration and Enhancement Grants program to restructure Amtrak's long-distance service and require States to take over the costs and responsibilities of this service. Despite the proposal's phased approach, in the long-term, the budget request would amount to shifting shared and system-related costs onto state-supported routes which would require States to contribute significantly more funding for service on Amtrak's National Network. The Committee rejects this proposal and provides strong funding for Amtrak to continue to provide service through long-distance and state-supported routes.

#### MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT PROGRAM

Appropriation, fiscal year 2019 .....	\$10,000,000
Budget request, fiscal year 2020 .....	— — —
Recommended in the bill .....	10,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	— — —
Budget request, fiscal year 2020 .....	+10,000,000

The Magnetic Levitation Technology Deployment (MAGLEV) program is authorized under section 322 of title 23, United States Code. The MAGLEV program funds transportation systems that employ magnetic levitation and are capable of safe use by the public at speeds in excess of 240 miles per hour.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$10,000,000 for the MAGLEV program. These funds are available for preconstruction planning activities and capital costs, and are available until expended.

#### GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

##### (AMTRAK)

Amtrak was created by Congress in the Rail Passenger Service Act of 1970 (P.L. 91-518) to operate intercity passenger rail service, which was previously operated by private railroads. Amtrak as-

sumed the common carrier obligations of the private railroads in exchange for the right to priority access to their railroad tracks for an incremental cost.

Today, Amtrak operates more than 300 trains each day to more than 500 destinations in 46 States, the District of Columbia, and Canada. About 72 percent of the miles traveled by Amtrak trains are on tracks owned by other railroads, and Amtrak owns 624 route-miles of its own track, most of which is on the Northeast Corridor (NEC) from Washington, D.C. to Boston, Massachusetts. In fiscal year 2018, Amtrak carried 31.7 million people on the NEC, state-supported routes, and long-distance routes.

The FAST Act authorizes funding for Amtrak through fiscal year 2020 for the Northeast Corridor and the National Network, which encompasses Amtrak's state-supported and long-distance routes, as well as other non-NEC activities.

The Committee recommendation provides \$1,991,600,000 for Amtrak. The Committee provides funding through the Northeast Corridor Grants and National Network Grants accounts, which is consistent with the FAST Act authorized structure.

*Congressional budget justification.*—The Committee appreciates the level of detail in the fiscal year 2020 budget justification and directs Amtrak to submit a justification with a similar level of detail for fiscal year 2021.

*Charter trains and private cars.*—During fiscal year 2018, Amtrak issued new guidelines for charter trains operated by Amtrak and private cars on Amtrak trains. While the Committee understands that these policy changes reflect Amtrak's mandate to provide efficient, effective, and safe regularly scheduled passenger rail service, the Committee remains concerned with Amtrak's implementation and communication of these guidelines.

The Committee notes that Amtrak added a small number of locations and trains to the list of eligible locations and trains for private car moves in its January 1, 2019 update to the Guidelines for Private Cars on Amtrak. Amtrak is directed to continually review and evaluate the locations and trains that may be eligible for private car moves. If additional locations or trains meet Amtrak's criteria for private car moves, then the Committee directs Amtrak to update the list of eligible locations and trains and notify private car owners accordingly. Further, the Committee is concerned that Amtrak does not typically inform private car owners when a private car caused a delay to an Amtrak train. The Committee encourages Amtrak to establish a mechanism by which private car owners are notified of such delays. This information could provide private car owners opportunities to improve their operations and processes.

In February 2019, the Amtrak Office of Inspector General issued a report which found that Amtrak has failed to account for the costs of operating the private car program. The Committee agrees with the Inspector General's conclusions that Amtrak cannot accurately assess and make informed decisions about the private car program until Amtrak properly identifies the costs of the program. These conclusions are particularly concerning considering that Amtrak implemented two price increases for the private car program prior to the report's release. The Inspector General's recommendations include identifying the cost of private car moves and long-term parking, factoring this cost data into future decisions on set-

ting or adjusting prices, and establishing a financial and performance reporting system. As Amtrak works to comply with these recommendations, the Committee directs Amtrak to engage with private car owners and associations on the identified costs, the analysis of recent price increases, the reductions in locations and trains eligible for private car moves, and any new potential revised pricing. The Committee directs Amtrak to submit a report to the House and Senate Committees on Appropriations within 90 days of enactment of this Act detailing its plan to standardize the cost and revenue analysis for the private car program. Further, Amtrak is directed to include an updated report on charter train and private car policies in Amtrak's fiscal year 2021 budget justification. The Committee acknowledges that certain information may be commercially sensitive and cannot be made public. Therefore, the Committee directs Amtrak to provide such information through briefings to the Committees.

*Station agents.*—The Committee directs Amtrak to provide a station agent in each Amtrak station that had a ticket agent position eliminated in fiscal year 2018. Station agents assist passengers with their intercity passenger rail travel, conduct the sale of tickets, provide customer service during all hours that a station is open, and perform building maintenance duties. Amtrak is directed to improve communication and collaboration with local partners and take into consideration the unique needs of each community, including impacts to local jobs, when making decisions related to the staffing of Amtrak stations.

*Amtrak Police Department.*—The Amtrak Police Department has the responsibility of protecting Amtrak's passengers, employees, property, and infrastructure. The Committee understands Amtrak intends to initiate changes to the Amtrak Police Department beginning June 1, 2019, which could include reducing staffing at Amtrak stations and redeploying police officers to patrol areas with increasing rates of criminal activity, including on trains and rights-of-way owned by Amtrak. While the Committee appreciates Amtrak's efforts to increase safety by deploying resources to where incidents are occurring, the Committee is concerned that these changes could result in a reduction in the overall police force in the long-term. Maintaining a high level of safety at Amtrak stations and on trains is critical to the traveling public and to local, regional, and national security. Therefore, the Committee recommendation prevents Amtrak from reducing the size of the Amtrak Police Department below the staffing level on May 1, 2019.

*Communication with stakeholders.*—The Committee recognizes Amtrak's efforts to increase its revenues, reduce its operating losses, and provide a more modern customer experience for its ridership. However, the Committee is concerned that Amtrak continues to make and implement changes to operations and services without providing the public or its employees adequate time to understand proposed changes and provide feedback. Amtrak has made changes to policies and procedures relating to charter trains, private cars, station agents, call centers, food and beverage service, and law enforcement, all of which have impacts on its ridership, employees, and communities. Therefore, the Committee directs Amtrak to increase engagement with customers, employees, stakeholders, and the public on proposals to change operations and serv-

ices, including providing an opportunity to comment on policies prior to finalizing decisions.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD  
PASSENGER CORPORATION

Appropriation, fiscal year 2019 .....	\$650,000,000
Budget request, fiscal year 2020 .....	325,466,000
Recommended in the bill .....	700,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+50,000,000
Budget request, fiscal year 2020 .....	+374,534,000

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$700,000,000 for Northeast Corridor Grants to Amtrak for operating and capital purposes. In addition to this funding, the Northeast Corridor retains its operating profits for use on the corridor. This funding level provides \$5,000,000 to the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER  
CORPORATION

Appropriation, fiscal year 2019 .....	\$1,291,600,000
Budget request, fiscal year 2020 .....	611,000,000
Recommended in the bill .....	1,291,600,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	-- --
Budget request, fiscal year 2020 .....	+680,600,000

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$1,291,600,000 for National Network Grants to Amtrak. This funding supports operating and capital activities for Amtrak's long-distance and state-supported routes, and other non-Northeast Corridor activities. This funding level provides \$2,000,000 to the State-Supported Route Committee established under section 24712 of title 49, United States Code.

*National Network changes.*—The Committee understands Amtrak is conducting a review of its existing service on long-distance and state-supported routes. This analysis could result in changes to the National Network which places greater emphasis on short corridor service of 400 miles or less, increases frequencies on existing routes, and establishes new routes through city pairings that are currently underserved or not served by Amtrak. While the Committee understands Amtrak's efforts are intended to address changing demographics and travel trends, such proposals could have unintended consequences for long-distance customers, especially in rural and small communities where passenger rail serves as an important mobility option and economic driver. The Committee directs Amtrak to conduct comprehensive outreach and consultation with State and local governments, the State-Supported Route Committee, its employees, communities, passenger rail organizations, railroads, and the public on any potential changes to the National Network. Amtrak must engage in an open and transparent process which encompasses anyone who could be impacted, positively or negatively, by such proposals. The Committee strongly

reminds Amtrak that section 24701 of title 49, United States Code, requires Amtrak to operate a national passenger rail system. Further, the Committee directs Amtrak to seek any potential changes to the National Network through the reauthorization of the FAST Act, and urges Amtrak to ensure any such proposals also increase ridership in rural areas and improve service for long-distance customers.

*On-time performance.*—As previously stated, the Committee is concerned with Amtrak’s on-time performance for long-distance and state-supported routes. The Committee notes that under Federal law, host railroads are required to grant Amtrak trains priority over freight trains and Amtrak in turn is required to pay fees for its use. In fiscal year 2018, Amtrak paid host railroads approximately \$150,000,000 for use of their tracks, performance, and other resources needed to operate Amtrak trains. According to Amtrak’s Host Railroad Report Card, the grades host railroads received based on delays caused to Amtrak trains in 2018 ranged from an “A” to an “F,” with the average grade for all host railroads being a “C.” The Committee urges Amtrak to continue engaging with railroads to improve on-time performance for long-distance and state-supported routes. Further, the Committee looks forward to receiving the Amtrak Inspector General’s update of the 2008 DOT Inspector General report titled “Effects of Amtrak’s Poor on-time Performance.”

#### ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

Section 150 limits overtime to \$35,000 per employee, and allows Amtrak’s president to waive this restriction for specific employees for safety or operational efficiency reasons. It also requires Amtrak to submit a report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act summarizing overtime payments incurred by Amtrak for calendar year 2019 and the three prior years. The summary shall include the total number of employees that received waivers, and total overtime payments paid to employees receiving waivers for each month for 2019 and the prior three calendar years.

Section 151 includes a prohibition relating to reducing the size of the Amtrak Police Department below the staffing levels on May 1, 2019.

#### FEDERAL TRANSIT ADMINISTRATION

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

The most recent authorization for the programs under FTA is contained in the Fixing America’s Surface Transportation (FAST) Act (P.L. 114–94). Annual appropriations Acts include annual limi-

tations on obligations for the transit formula grants programs, and direct appropriations of budget authority from the general fund of the Treasury for FTA's administrative expenses, some research programs, and capital investment grants.

#### ADMINISTRATIVE EXPENSES

Appropriation, fiscal year 2019 .....	\$113,165,000
Budget request, fiscal year 2020 .....	110,552,000
Recommended in the bill .....	117,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+3,835,000
Budget request, fiscal year 2020 .....	+6,448,000

The FTA administers Federal financial assistance programs for planning, developing, and improving comprehensive mass transportation systems in both urban and non-urban areas. This appropriation provides, from the general fund of the Treasury, amounts for the administrative expenses of the agency.

#### COMMITTEE RECOMMENDATION

The Committee recommends a total of \$117,000,000 for FTA's administrative expenses. The Committee's recommendation provides these funds from the general fund, as usual.

*Operating plans.*—The Committee reiterates its direction from previous years, which requires the FTA's operating plan to include a specific allocation of resources for administrative expenses. The operating plan should include a delineation of full-time equivalent employees for the following offices: Office of the Administrator; Office of Administration; Office of Chief Counsel; Office of Communications and Congressional Affairs; Office of Program Management; Office of Budget and Policy; Office of Research, Demonstration and Innovation; Office of Civil Rights; Office of Planning and Environment; Office of Safety and Oversight; and Regional Offices. Further, the operating plan must include any new programs or changes to the budget request, including new grant programs. In addition, except in the case of reallocating resources subsequent to a Presidentially declared disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, (P.L. 100–707) (1988), the Committee directs FTA to notify the House and Senate Committees on Appropriations at least thirty days in advance of any change that results in an increase or decrease of more than ten percent from the initial operating plan submitted to the Committees for fiscal year 2020.

*Budget justifications.*—The Committee strongly encourages FTA to maintain the format and content in the fiscal year 2021 documents.

*Annual new starts report.*—The Committee has again included bill language requiring FTA to submit the annual new starts report with the initial submission of the budget request due in February 2020.

*Full funding grant agreements (FFGAs).*—Title 49 requires that FTA notify the House and Senate Committees on Appropriations as well as the House Committee on Transportation and Infrastructure and the Senate Committee on Banking, Housing and Urban Affairs sixty days before executing a FFGA. In its notification to the House and Senate Committees on Appropriations, the Committee directs

FTA to include the following: (1) a copy of the proposed FFGA; (2) the total and annual Federal appropriations required for that project; (3) yearly and total Federal appropriations that can be reasonably planned or anticipated for future FFGAs for each fiscal year through 2023; (4) a detailed analysis of annual commitments for current and anticipated FFGAs against the program authorization, by individual project; (5) a financial analysis of the project's cost and the sponsor's ability to finance the project, which shall be conducted by an independent examiner, and which shall include an assessment of the capital cost estimate and the finance plan; (6) the source and security of all public- and private-sector financial instruments; (7) the project's operating plan, which enumerates the project's future revenue and ridership forecasts; and (8) a listing of all planned contingencies and possible risks associated with the project.

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

In addition, the Committee directs FTA to continue reporting monthly to the House and Senate Committees on Appropriations on the status of each project with a FFGA or that is within two years of a FFGA, and to include a list of all letters of no prejudice and early systems work agreements under review by the FTA in each monthly update.

*Staffing allocations.*—The Committee provides \$117,000,000 for FTA's administrative resources. The Committee directs FTA to use the additional administrative resources above the budget request for staffing needs in areas that represent Congressional priorities including Capital Investment Grants, safety oversight, and grants allocation and distribution.

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

	Liquidation of contract authority	Limitation on obligations
Appropriation, fiscal year 2019 .....	\$9,900,000,000	\$9,939,380,000
Budget request, fiscal year 2020 .....	10,800,000,000	10,150,348,462
Recommended in the bill .....	10,800,000,000	10,150,348,462
Bill compared with:		
Appropriation, fiscal year 2019 .....	+900,000,000	+210,968,462
Budget request, fiscal year 2020 .....	---	---

The FAST Act provides contract authority for the transit formula grant programs funded from the mass transit account of the Highway Trust Fund. These programs include: urbanized area formula grants, state of good repair grants, formula grants for rural areas, growing states and high-density states, mobility for seniors and persons with disabilities, buses and bus facilities grants, bus test-

ing facilities, planning programs, transit-oriented development, a pilot program for enhanced mobility, public transportation innovation, technical assistance and workforce development, and the National Transit Database. This Act sets an annual obligation limitation for such authority and provides liquidating cash. This account is the only FTA account funded from the Highway Trust Fund.

#### COMMITTEE RECOMMENDATION

The Committee recommends an obligation limitation of \$10,150,348,462 for formula program and activities. The Committee's recommendation also includes \$10,800,000,000 in liquidating cash.

*Buses and bus facilities.*—The Committee supports the FAST Act's inclusion of competitive grants in the buses and bus facilities grant program and encourages FTA to follow the guidance set forth in the FAST Act when developing selection criteria for the program. Consistent with section 3017 of the FAST Act, the age and condition of buses, bus fleets, related equipment, and bus-related facilities should be the primary consideration for selection criteria. The amounts provided under this heading are in addition to the \$389,000,000 provided under the heading "Transit Infrastructure Grants."

*Low or No Emission buses.*—The Committee is pleased by the interest in low and no emission buses nationwide and provides funds both under this heading and the heading "Transit Infrastructure Grants" for FTA to continue the competitive grant program authorized in the FAST Act. As part of the criteria for the next Notice of Funding Opportunity, the Committee encourages the FTA to include evaluation criteria that considers the number of electric buses the applicant currently has in revenue service. The Committee provides a total of \$149,000,000 in this Act for the Low or No Emission bus program.

*Transit-oriented development.*—The Committee is concerned with urban sprawl and overwhelming traffic in areas with high population density. The Committee encourages the Secretary to carry out the pilot programs authorized under section 20005(b) of MAP-21 which encourage transit planning that connects housing, jobs, and mixed-use development with transportation options. Of the amounts provided under this heading, the Committee recommends FTA use no less than \$10,000,000 to carry-out a competitive pilot program as directed in Section 3016 of the FAST Act.

*Altoona bus testing facility.*—The Committee supports the ongoing work of FTA's bus testing facility in Altoona, PA and the Committee provides a total of \$4,000,000 for the facility under this heading and the heading "Transit Infrastructure Grants." The facility ensures the safety and reliability of new transit buses and ensures that buses purchased by local transit agencies meet minimum performance standards, increasing the safety of the transit-riding public.

*Enhanced mobility of seniors and individuals with disabilities.*—The Committee believes that removing barriers to transportation service and expanding transportation mobility options for seniors and individuals with disabilities is important. The Committee provides \$285,000,000 for transportation services for seniors and indi-



viduals with disabilities as authorized under section 49 U.S.C. 5310.

*Tribal transit program.*—The primary purpose of these grants is to support planning, capital, and, in limited circumstances, operating assistance for tribal public transit services. Consistent with the FAST Act, the Committee provides \$30,000,000 in formula funds and \$5,000,000 in competitive grants.

*Homeless families.*—The Committee recognizes that the lack of affordable housing is resulting in increasing numbers of homeless individuals and families using public transit systems for shelter. The Committee encourages HUD’s Office of Community Planning and Development, together with the FTA, to collaborate with local transit agencies and homelessness stakeholders to develop collaborative, multi-sectoral strategies and models to address the needs of transit systems and homeless populations using transit for shelter.

#### TRANSIT INFRASTRUCTURE GRANTS

Appropriation, fiscal year 2019 .....	\$700,000,000
Budget request, fiscal year 2020 .....	500,000,000
Recommended in the bill .....	750,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+50,000,000
Budget request, fiscal year 2020 .....	+250,000,000

The FAST Act provides contract authority for the transit formula grants program from the mass transit account of the Highway Trust Fund. This account provides additional funds from the general fund of the Treasury for important transit priorities authorized under chapter 53 of title 49, United States Code and for grants to areas which have endured persistent poverty.

#### COMMITTEE RECOMMENDATION

The Committee recommends an additional \$750,000,000 in transit infrastructure grants to remain available until expended. The following table provides funding levels for activities within this account:

	Request	Recommendation
Buses and Bus Facilities .....	\$500,000,000	\$389,000,000
Low or No Emission Bus Program .....	---	94,000,000
State of Good Repair Formula Funds .....	---	250,000,000
Altoona Bus Testing .....	---	1,000,000
Low or No Bus Testing .....	---	6,000,000
Persistent Poverty areas .....	---	10,000,000
Total .....	500,000,000	750,000,000

#### TECHNICAL ASSISTANCE AND TRAINING

Appropriation, fiscal year 2019 .....	\$5,000,000
Budget request, fiscal year 2020 .....	---
Recommended in the bill .....	5,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	+5,000,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$5,000,000 for Technical Assistance and Training authorized under section 5314(a)(2) Title 49. In addition to the directly appropriated funds under this heading, another \$9,000,000 is provided through the obligation limitation under the header “Transit Formula Grants”.

CAPITAL INVESTMENT GRANTS

Appropriation, fiscal year 2019 .....	\$2,552,687,000
Budget request, fiscal year 2020 .....	1,505,190,000
Recommended in the bill .....	2,301,785,760
Bill compared with:	
Appropriation, fiscal year 2019 .....	- 250,901,240
Budget request, fiscal year 2020 .....	+796,596,760

Grants for capital investment to rail or other fixed guideway transit systems are awarded to public bodies and agencies including States, municipalities, other political subdivisions of States; public agencies and instrumentalities of one or more States; and certain public corporations, boards and commissions under State law.

COMMITTEE RECOMMENDATION

The Committee recommends \$2,301,785,760 for Capital Investment Grants, consistent with the levels authorized in the FAST Act. The following table provides funding levels for activities within this account:

	Request	Recommendation
New Starts Projects with a current FFGA .....	\$795,290,221	\$795,290,221
New Starts Projects without a current FFGA .....	---	702,709,779
Core Capacity .....	200,000,000	300,000,000
Small Starts .....	---	430,768,910
Expedited Project Delivery .....	---	50,000,000
Oversight (1%) .....	15,051,900	23,016,850
Other .....	494,847,879	---
<b>Total .....</b>	<b>1,505,190,000</b>	<b>2,301,785,760</b>

The Committee is gravely concerned about the execution of the Capital Investment Grant program and directs the Secretary to carry out the program in accordance with the will of Congress. The Committee notes with dismay that FTA signed only one New Starts Full-Funding grant agreement (FFGA) in 2018, no Core Capacity project FFGAs and that the vast majority of FFGAs have been Small Starts projects. The recommendation provides parameters to guide FTA in operating the program in order to advance projects that would enhance American competitiveness and commerce but which have been unable to progress through the FFGA process despite Congressional intent.

The Committee directs FTA to continue to update the Committee on the status of projects that are in the current funding pipeline. The Committee directs FTA to proactively work with applicants and grantees to facilitate projects moving through the Capital Investment Grant pipeline and towards a FFGA. FTA is directed to evaluate, rate, and recommend projects for funding, and subsequently award grants to projects that meet the statutory require-

ments of 49 U.S.C. 5309. The Committee encourages FTA to fully consider Small Starts projects that would include stations that serve one or more Opportunity Zones, as defined in Public-Law 115–97. The Committee further directs that FTA may provide funding for projects without a FFGA. Funding is provided for projects that currently have executed grant agreements, and for projects that have met the statutory requirements of 49 U.S.C. 5309 and that are anticipating grant agreements in 2020.

The Committee directs FTA to enter into FFGAs in which the maximum Capital Investment Grant share is between 50 percent and 80 percent of the net project cost, except at the direct request of the project sponsor. The Committee also directs the Secretary to provide notice to the House and Senate Committees on Appropriations not less than 90 days prior to altering or rescinding any rule, circular, or guidance relating to the evaluation, rating, and approval process pursuant to 49 U.S.C. 5309.

The Committee directs the Secretary to submit the fiscal year 2021 annual report on funding recommendations as required by 49 U.S.C. 5309, and directs the Secretary to maintain the Federal funding commitments for all existing grant agreements and to identify all projects with a medium or higher rating that anticipate requesting a grant agreement in fiscal year 2021.

*Expedited Project Delivery Pilot Program.*—The Expedited Project Delivery Pilot Program was authorized by the FAST Act. The program is aimed at expediting delivery of new fixed guideway capital projects, small starts projects, or core capacity improvement projects that utilize public-private partnerships, are planned to be operated and maintained by employees of an existing public transportation provider, and have a Federal share not exceeding 25 percent of the project cost. It is also aimed at increasing innovation, improving efficiency and timeliness of project implementation, and encouraging new revenue streams. The Committee provides an additional \$50,000,000 for the pilot program.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT  
AUTHORITY

Appropriation, fiscal year 2019 .....	\$150,000,000
Budget request, fiscal year 2020 .....	150,000,000
Recommended in the bill .....	150,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

This program provides grants to the Washington Metropolitan Area Transit Authority (WMATA) for capital investment and asset rehabilitation activities as authorized by the Federal Rail Safety Improvements Act of 2008 (Public Law 110–432, Title VI, Section 601). These funds, along with funds provided under FTA’s core formula programs, will help return the system to a state of good repair and improve the safety and reliability of service. Federal funds provided under this account are matched dollar-for-dollar by Virginia, Maryland, and the District of Columbia in equal proportions.

COMMITTEE RECOMMENDATION

The Committee recommends \$150,000,000 for grants to WMATA, equal to last year’s enacted level.

The Committee believes that the safe and reliable operation of WMATA is important to the operation of the Federal government and supports continued funding. Federal employees represent approximately 40 percent of Metrorail's peak period ridership, and more than one-third of all Metrorail stations are located on Federal property. Recognizing the essential role that WMATA plays in transporting Federal employees daily and millions of visitors to the Nation's capital annually, the Committee provides ongoing support for projects that support safe operation of the transit system. The Committee directs WMATA to continue addressing the safety issues within the system and to use Federal, State and local funds to improve and maintain the state of good repair of the Metrorail system.

The Committee applauds WMATA for including cybersecurity requirements in the request for proposals that they have issued for the 8000 series rail cars. As systems for controlling various modes of transportation become more complex, the Committee is concerned about the security of transportation and the safety of the traveling public. Security vulnerabilities can be inadvertently introduced when customers do not specify appropriate security attributes in the procurement process. As a result, the Committee directs WMATA to comply with practices for control system procurement recommended by the Department of Homeland Security's National Cybersecurity and Communications Integration Center.

#### ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

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

Section 161 allows funds appropriated for Capital Investment Grants and buses and bus facilities not obligated by September 30, 2024, plus other recoveries, to be available for other projects under 49 U.S.C. 5309.

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

Section 163 changes the date, to September 30, 2020, by which funds provided for Capital Investment Grants provided in fiscal year 2018 must be obligated.

Section 164 prohibits FTA from using any funds to finalize the Capital Investment Grant share of a project before the project has been in Engineering. FTA is also prohibited, for projects in the program on the date of enactment of this Act, from requiring a reasonable cost estimate, by an applicant, to exceed a 50 percent probability of on-budget completion. In addition, FTA is prohibited from applying the provision in 26 U.S.C. 9503(e)(4) for fiscal year 2020.

Section 165 allows certain recipients of Low or No Emission Bus Grants to continue to partner with non-profits and companies as part of their grant applications.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION  
OPERATIONS AND MAINTENANCE  
(HARBOR MAINTENANCE TRUST FUND)

Appropriation, fiscal year 2019 .....	\$36,000,000
Budget request, fiscal year 2020 .....	28,000,000
Recommended in the bill .....	40,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+4,000,000
Budget request, fiscal year 2020 .....	+12,000,000

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

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

COMMITTEE RECOMMENDATION

The Committee recommends \$40,000,000 to fund the operations, maintenance, and capital asset renewal needs of the SLSDC. Not less than \$16,000,000 shall be used for capital asset renewal activities.

The recommendation includes \$4,000,000 in additional resources for market development and promotion of the Great Lakes navigation system, to be carried out in cooperation with system stakeholders. These resources may be used to enhance and expand existing marketing efforts, conduct market research, to support marketing initiatives and trade promotion with the goal of growing the volume of waterborne commerce and passenger cruise activity on the system, or to update signage for the Seaway.

MARITIME ADMINISTRATION

The Maritime Administration (MARAD) is responsible for strengthening the U.S. maritime industry in support of the Nation's security and economic needs, as authorized by the Merchant Marine Act of 1936. MARAD's mission is to promote the development and maintenance of a U.S. merchant marine sufficient to carry the Nation's waterborne domestic commerce and a substantial portion of its waterborne foreign commerce, and to serve as a naval and military auxiliary in time of war or national emergency.

MARAD, working with the Department of Defense (DoD), provides a seamless, time-phased transition from peacetime to war-

time operations, while balancing the defense and commercial elements of the maritime transportation system. MARAD also manages the maritime security program, the voluntary intermodal sealift agreement program, and the ready reserve force, which assures DoD access to commercial and strategic sealift and associated intermodal capability. Further, MARAD's education and training programs through the U.S. Merchant Marine Academy and six state maritime academies help create skilled U.S. merchant marine officers.

#### MARITIME SECURITY PROGRAM

Appropriation, fiscal year 2019 .....	\$300,000,000
Budget request, fiscal year 2020 .....	300,000,000
Recommended in the bill .....	300,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

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

#### COMMITTEE RECOMMENDATION

The Committee recommends \$300,000,000 for the maritime security program, consistent with the authorized funding level. Funds are available until expended.

#### OPERATIONS AND TRAINING

##### (INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2019 .....	\$149,442,000
Budget request, fiscal year 2020 .....	377,497,000
Recommended in the bill .....	154,442,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+5,000,000
Budget request, fiscal year 2020 .....	-223,055,000

The operations and training account provides funding for headquarters and field offices to administer and direct MARAD operations and programs as well as the operation of the U.S. Merchant Marine Academy.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$154,442,000 for MARAD operations and training expenses, available until September 30, 2021. The following table provides funding levels for activities within this account.

	Request	Recommendation
USMMA Operations .....	\$77,944,000	\$77,944,000
USMMA Capital .....	4,000,000	5,225,000
MARAD Headquarters .....	53,273,000	53,273,000
Marine Enviro. & Tech. Assistance .....	---	3,000,000
Short Sea Transportation Program .....	---	15,000,000

	Request	Recommendation
TOTAL .....	135,217,000	154,442,000

The Committee continues the reporting requirement that MARAD submit information on the number of vacancies at MARAD headquarters and regional offices, and the duties associated with each vacancy concurrent with the fiscal year 2021 budget submission.

*Capital planning at the United States Merchant Marine Academy (USMMA).*—The Committee directs the Administrator of the Maritime Administration, in conjunction with the National Academy of Public Administration, to provide a report to Congress on the state of the education and training provided at the USMMA within 180 days of enactment of the Act. The report should include an assessment of the training equipment, technology and facilities on the USMMA campus, as well as the resources supporting the programs, and an assessment of the condition of those resources. The report should be made available in an electronic format.

*Sexual assault and sexual harassment at the USMMA.*—P.L. 116–6 directed MARAD to provide the Committee with copies of reports required under sections 3508 and 3509 of P.L. 115–232. The recommendation includes additional resources for USMMA operations, and the Committee directs the USMMA to fully staff the Sexual Assault Prevention and Response Office.

*Shipyards.*—Due to the lack of available private shipyard facilities and the extended time to relocate vessels and assets, there is a backlog of maintenance, repair and modernization projects which may impair maritime commerce and national security. To avoid displacement, costs, and impacts on east coast and west coast-based vessels and personnel, the Committee encourages MARAD to continue utilizing privately owned shipyards for National Defense Reserve Fleet and Ready Reserve Fleet maintenance, repair and modernization. The Committee also encourages MARAD to compile a list of available shipyards and to share such a list with other government partners.

#### STATE MARITIME ACADEMY OPERATIONS

Appropriation, fiscal year 2019 .....	\$345,200,000
Budget request, fiscal year 2020 .....	— — —
Recommended in the bill .....	345,200,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	— — —
Budget request, fiscal year 2020 .....	+345,200,000

The state maritime academy operations account provides financial assistance to the six state maritime academies.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$345,200,000 for state maritime academy (SMA) operations. The following table provides funding levels for activities within this account.

	Request	Recommendation
Schoolship Maintenance and Repair .....	\$30,080,000	\$33,000,000
Training Vessel Sharing .....	[8,060,000]	[8,060,000]
Schoolship Construction .....	205,000,000	300,000,000
Student Incentive Program .....	2,400,000	2,400,000

	Request	Recommendation
Fuel Assistance Payments .....	1,800,000	3,800,000
Direct Payments for SMAs .....	3,000,000	6,000,000
TOTAL .....	242,280,000	345,200,000

*Schoolship construction.*—The recommendation includes \$300,000,000 for the construction of a new schoolship in the National Security Multi-Mission Vessel Program. The recommendation does not include funding for the schoolship replacement program proposed in the budget request.

#### ASSISTANCE TO SMALL SHIPYARDS

Appropriation, fiscal year 2019 .....	\$20,000,000
Budget request, fiscal year 2020 .....	---
Recommended in the bill .....	20,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	+20,000,000

As authorized under section 54101 of title 46, United States Code, the Assistance to Small Shipyards program provides assistance in the form of grants, loans, and loan guarantees to small shipyards for capital improvements and training programs.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$20,000,000 for the Assistance to Small Shipyards program. Funds are available until expended.

#### SHIP DISPOSAL

Appropriation, fiscal year 2019 .....	\$5,000,000
Budget request, fiscal year 2020 .....	5,000,000
Recommended in the bill .....	5,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

MARAD serves as the Federal government's disposal agent for government-owned merchant vessels weighing 1,500 gross tons or more. The ship disposal program provides resources to dispose of obsolete merchant-type vessels in the National Defense Reserve Fleet. These vessels pose a significant environmental threat due to the presence of hazardous substances such as asbestos and solid and liquid polychlorinated biphenyls.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$5,000,000 for ship disposal activities. The recommendation includes \$3,000,000 to maintain the *NS Savannah* in protective storage in accordance with the Nuclear Regulatory Commission's license requirements while it is being disposed. Funds are available until expended.



MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT  
(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2019 .....	\$3,000,000
Budget request, fiscal year 2020 .....	---
Recommended in the bill .....	3,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	+3,000,000

The maritime guaranteed loan program, as provided for by Title XI of the Merchant Marine Act of 1936, provides for guaranteed loans for purchasers of ships from the U.S. shipbuilding industry and for modernization of U.S. shipyards.

COMMITTEE RECOMMENDATION

The Committee recommends \$3,000,000 for the administrative expenses of the maritime guaranteed loan program.

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

Appropriation, fiscal year 2019 .....	\$292,730,000
Budget request, fiscal year 2020 .....	---
Recommended in the bill .....	225,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	-67,730,000
Budget request, fiscal year 2020 .....	+225,000,000

The purpose of the Port Infrastructure Development Program (46 U.S.C. 50302) is to improve port facilities and the transportation networks and flows of cargo in, around, and through ports. Port authorities, States and local government, and publicly chartered entities are eligible to apply for grants.

COMMITTEE RECOMMENDATION

The Committee recommends \$225,000,000 for the Port Infrastructure Development Program. Funds are available until expended.

The Committee directs MARAD to provide grants for infrastructure improvement projects for coastal seaports and ports on the Great Lakes that are either within the port's boundary, or outside its boundary if the project directly relates to port operations, or to an intermodal connection to a port that improves the safety, efficiency, or reliability of the movement of goods into, out of, or around the port. Eligible projects include, but are not limited to, highway or rail infrastructure that develops or extends intermodal connectivity, intermodal facilities, marine terminal equipment, wharf construction or redevelopment, vessel alternative fueling access and distribution, fuel efficient cargo handling equipment, and freight intelligent transportation systems. The recommendation includes a prohibition on purchasing fully-automated cargo handling equipment with grants made through the program.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Section 170 authorizes MARAD to furnish utilities and services and to make necessary repairs in connection with any lease, contract, or occupancy involving government property under control of

MARAD and allows payments received to be credited to the Treasury and to remain available until expended.

#### PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

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

#### OPERATIONAL EXPENSES

Appropriation, fiscal year 2019 .....	\$23,710,000
Budget request, fiscal year 2020 .....	24,215,000
Recommended in the bill .....	23,710,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	- 505,000

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

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$23,710,000 for PHMSA operational expenses, of which \$1,500,000 shall be for the Pipeline Safety Information Grants to Communities program. The recommendation does not include the proposal in the budget request to combine the Community Safety Grant and Pipeline Safety Information Grants to Communities programs.

*Pipeline safety rulemakings.*—Pipeline incidents have increased nearly two-fold from 1999 to 2018. In response, Congress required PHMSA to establish regulations to improve pipeline safety in the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112-90). PHMSA issued a notice of proposed rulemaking on the Safety of Hazardous Liquid Pipelines in October 2015 and on the Safety of Gas Transmission and Gathering Pipelines in April 2016. The Committee notes with concern that to date PHMSA has not issued final rules for either of these rulemakings. The Committee directs PHMSA to issue final rules on the Safety of Hazardous Liquid Pipelines and the Safety of Gas Transmission and Gathering Pipelines within 180 days of enactment of this Act.

The Pipeline Safety Act of 2011 also required PHMSA to establish regulations on the use of automatic and remote-controlled shut-off valves on transmission pipeline facilities and hazardous liquid pipeline facilities leak detection systems. To date PHMSA has not issued a notice of proposed rulemaking on these mandates. The Committee directs PHMSA to initiate a rulemaking within 90 days of enactment of this Act and to issue a final rule no later than one year after enactment of this Act.

To assist PHMSA in executing these regulatory actions, the Committee recommendation provides \$715,000 for regulatory staff positions and contractor support, as requested, and directs PHMSA to utilize these resources to expedite compliance with overdue Congressional mandates.

#### HAZARDOUS MATERIALS SAFETY

Appropriation, fiscal year 2019 .....	\$58,000,000
Budget request, fiscal year 2020 .....	53,000,000
Recommended in the bill .....	61,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+3,000,000
Budget request, fiscal year 2020 .....	+8,000,000

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

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$61,000,000 for the Hazardous Materials Safety program. This funding level supports PHMSA's existing hazardous materials safety program, including the safe transportation of energy products, and provides \$2,000,000 for the Community Safety Grant program.

*LNG by rail.*—A petition was filed with PHMSA to develop standards for the bulk transportation of liquefied natural gas (LNG) in rail tank cars in 2017, and PHMSA accepted this petition in 2018. The transportation of LNG in rail tank cars poses new and different risks to the public, environment, and property. The Committee is deeply concerned with the aggressive timeline established in Executive Order 13868 for the Department to finalize a rulemaking on LNG by rail within 13 months of April 10, 2019. This artificial timeline would prevent PHMSA, in coordination with the Federal Railroad Administration, from thoroughly accessing and evaluating the safety risks associated with the transportation of LNG in rail tank cars. Therefore, the Committee directs PHMSA to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study through the Transportation Research Board on the transportation of LNG in rail tank cars. This study should address different transportation scenarios, including a freight train carrying individual LNG tank cars, multiple LNG tank cars, and a unit train of LNG tank cars; release events; hazards when a spill is coupled with an ignition source; leak detection; impacted geographic areas; route terrain challenges; and emergency and first responder training and notification. The Committee provides up to \$1,000,000 for PHMSA to initiate this study within 30 days of enactment of this Act, and to complete this study no later than 18 months after enactment of this Act. Further, the Committee directs PHMSA to incorporate the findings and recommendations from this study into any potential rulemaking on the transportation of LNG in rail tank cars and prior to issuing a final rule authorizing such shipments.

*Safe transportation of energy products.*—The Committee continues to closely monitor PHMSA’s efforts to improve the safety of transporting Class 3 flammable liquids, including crude oil and ethanol, by rail. The Fixing America’s Surface Transportation (FAST) Act (P.L. 114–94) established a schedule to phase-out certain rail tank cars used to transport Class 3 flammable liquids. In September 2018, the Bureau of Transportation Statistics reported that nearly 20 percent of all tank cars transporting Class 3 flammable liquids in 2017 met the new safety requirements, which represents a significant increase from 2 percent in 2015. The Committee encourages the Department to work with industry to ensure continued progress on the tank car phaseout, and if possible, accelerate the phaseout timeline.

The Committee is pleased with the Department’s work to date in partnership with the Department of Energy on the multi-phase collaborative research study on the volatility and properties of crude oil from various locations, including the Bakken Shale in North Dakota, and to accurately assess and characterize volatility before transportation. The Committee directs the Department to continue this research and provide briefings after the completion of each research task to the House and Senate Committees on Appropriations on the findings and the necessity for any additional research tasks. The Committee further directs the Department to utilize the findings of this research to update regulations for the transportation of crude oil, if necessary. The Department shall brief the Committees on any regulatory decisions resulting from this research study, including decisions not to take regulatory action.

*Inland ports of entry.*—The Committee directs PHMSA to work with local governments and their Mexican counterparts at international inland ports of entry with a high volume of hazardous materials crossing the border to reduce the risk associated with transporting and storing hazardous materials and to enhance the capacity of local officials in dealing with the threat of hazardous materials incidents. The Committee notes that PHMSA has not reported to the House and Senate Committees on Appropriations on its progress as directed in House Report 115–750, and directs PHMSA to brief the Committees on progress within 30 days of enactment of this Act. Further, PHMSA is directed to submit a final report to the Committees within 120 days of enactment of this Act.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

	Pipeline Safety Fund	Oil Spill Liability Trust Fund	Underground Natural Gas Storage Facility Safety Account	Total
Appropriation, fiscal year 2019 .....	\$134,000,000	\$23,000,000	\$8,000,000	\$165,000,000
Budget request, fiscal year 2020 .....	119,000,000	22,000,000	8,000,000	149,000,000
Recommended in the bill .....	137,000,000	23,000,000	8,000,000	168,000,000
Bill compared with:				
Appropriation, fiscal year 2019 .....	+3,000,000	---	---	+3,000,000
Budget request, fiscal year 2020 .....	+18,000,000	+1,000,000	---	+19,000,000

PHMSA oversees the safety, security, and environmental protection of more than 2,700,000 miles of pipelines through analysis of

data, damage prevention, education and training, development and enforcement of regulations and policies, research and development, grants for State pipeline safety programs, and emergency planning and response to accidents. The Pipeline Safety program is responsible for a national regulatory program to protect the public against the risks to life and property in the transportation of natural gas, petroleum, and other hazardous materials by pipeline.

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$168,000,000 to continue pipeline safety operations, research, and development, and State grants-in-aid. Of the total, \$23,000,000 is from the Oil Spill Liability Trust Fund, \$137,000,000 is from the Pipeline Safety Fund, and \$8,000,000 is from the Underground Natural Gas Storage Facility Safety account within the Pipeline Safety Fund. The following table provides funding levels for activities within this account.

	Request	Recommendation
Research and Development .....	\$12,000,000	\$15,000,000
State Pipeline Safety Grants .....	46,800,000	56,000,000
State One-Call Grants .....	1,058,000	1,058,000
State Damage Prevention Grants .....	1,490,000	1,500,000

*Staffing and hiring plans.*—PHMSA shall deliver a report to the House and Senate Committees on Appropriations within 120 days of enactment of this Act that details staffing and hiring plans for fiscal year 2020 as well as actual turnover and hiring in fiscal year 2019.

*LNG facilities.*—The Committee recognizes the growth in the size and scope of liquified natural gas (LNG) facilities, and that PHMSA's Part 193 safety regulations do not reflect the risks associated with today's LNG facilities. The PIPES Act of 2016 (P.L. 114–183) directed the Department to review and update minimum safety standards for LNG facilities, and PHMSA announced its intent to update Part 193 regulations in 2018. The Committee is deeply concerned with the aggressive timeline established in Executive Order 13868 for the Department to initiate and finalize such a rulemaking within 13 months of April 10, 2019, especially considering that PHMSA has not completed rulemakings required under the Pipeline Safety Act of 2011 and the PIPES Act of 2016. While the Committee supports PHMSA's efforts to update regulations for LNG facilities, the Committee strongly opposes the artificial timeline in Executive Order 13868. It is critical that PHMSA conduct a thorough and methodical rulemaking process on Part 193 to ensure the safety of the public and environment. Therefore, the Committee directs PHMSA to move forward with a notice of proposed rulemaking to update Part 193, provide a minimum of 60 days for public comment, and issue a final rule upon review and analysis of all comments. Further, the Committee directs PHMSA not to delay any efforts to complete the overdue Congressional mandates from the Pipeline Safety Act of 2011 and the PIPES Act of 2016 as the agency pursues updating Part 193 regulations.

EMERGENCY PREPAREDNESS GRANTS  
(EMERGENCY PREPAREDNESS FUND)

Appropriation, fiscal year 2019 .....	\$28,318,000
Budget request, fiscal year 2020 .....	28,318,000
Recommended in the bill .....	28,318,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

The Hazardous Materials Transportation Uniform Safety Act of 1990 (P.L. 101–615) requires PHMSA to: (1) develop and implement a reimbursable Emergency Preparedness Grants program; (2) monitor public sector emergency response training and planning and provide technical assistance to States, political subdivisions, and Indian tribes; and (3) develop and periodically update a mandatory training curriculum for emergency responders.

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$28,318,000 for the Emergency Preparedness Grants program.

*Energy products training.*—The Committee recognizes the important role the Emergency Preparedness Grants program plays in training local emergency responders, including response activities related to the transportation of crude oil, ethanol, and other flammable liquids by rail. As PHMSA’s responsibilities for the safe movement of liquified natural gas (LNG) expand, the Committee directs PHMSA to enhance its training curriculum for local emergency responders to account for LNG facilities and the transportation of LNG in rail tank cars.

OFFICE OF INSPECTOR GENERAL  
SALARIES AND EXPENSES

Appropriation, fiscal year 2019 .....	\$92,600,000
Budget request, fiscal year 2020 .....	92,152,000
Recommended in the bill .....	96,700,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+4,100,000
Budget request, fiscal year 2020 .....	+4,548,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$96,700,000 for the Office of Inspector General.

*Audit reports.*—The Committee requests the OIG to continue forwarding copies of all audit reports to the Committee immediately after they are issued, and to continue to make the Committee aware immediately of any review that recommends cancellation or

modifications to any major acquisition project or grant, or which recommends significant budgetary savings. The OIG is also directed to withhold from public distribution for a period of 15 days any final audit or investigative report that was requested by the House or Senate Committees on Appropriations.

The Committee is aware of the OIG's increased scrutiny of the FAA certification process audit and the resources necessary to conduct a complete and thorough investigation. The Committee recognizes that the Congressionally mandated and self-initiated audits are vital to ensure consumer safety and efficiency at the Department of Transportation. The recommendation provides resources accordingly.

#### GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

Section 180 provides authorization for DOT to maintain and operate aircraft, hire passenger motor vehicles and aircraft, purchase liability insurance, buy uniforms, or allowances therefor.

Section 181 limits appropriations for services authorized by 5 U.S.C. 3109 to the rate permitted for an Executive Level IV.

Section 182 prohibits recipients of funds in this Act from disseminating personal information obtained by State DMVs in connection to motor vehicle records with an exception.

Section 183 prohibits funds in this Act for salaries and expenses of more than 110 political and Presidential appointees in DOT. The limitation shall increase to 125 political and Presidential appointees beginning on the date on which the Secretary announces the selection of projects to receive awards for certain competitive grant programs funded in fiscal year 2019.

Section 184 stipulates that revenue collected by FHWA and FRA from States, counties, municipalities, other public authorities, and private sources for training be transferred into specific accounts within the agency with an exception.

Section 185 prohibits DOT from using funds to make a grant, loan, loan guarantee, or cooperative agreement, unless DOT provides 3-day advance notice to the House and Senate Committees on Appropriations. The provision also requires notice of any "quick release" of funds from FHWA's emergency relief program, and prohibits notifications from involving funds not available for obligation. The provision requires DOT to provide a comprehensive list of all loans, loan guarantees, lines of credit, cooperative agreements, and discretionary grants that will be announced with a 3-day advance notice to the House and Senate Committees on Appropriations.

Section 186 allows funds received from rebates, refunds, and similar sources to be credited to appropriations of DOT.

Section 187 allows amounts from improper payments to a third-party contractor that are lawfully recovered by DOT to be made available until expended to cover expenses incurred in recovery of such payments.

Section 188 requires that reprogramming actions have to be approved or denied by the House and Senate Committees on Appropriations, and reprogramming notifications shall be transmitted solely to the Appropriations Committees.

Section 189 allows funds appropriated to modal administrations to be obligated for the Office of the Secretary for costs related to

assessments only when such funds provide a direct benefit to that modal administration.

Section 190 authorizes the Secretary to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits, including distribution of transit benefits.

Section 191 allows the use of funds to assist a contract utilizing geographic, economic, or other hiring preference not otherwise authorized by law, only if certain requirements are met related to availability of local labor, displacement of existing employees, and delays in transportation plans.

Section 192 includes a prohibition relating to high speed rail in California.

Section 193 requires DOT to consider Transportation Infrastructure Finance and Investment Act loans to be part of the non-Federal share of project costs if the loans are repaid by non-Federal funds.

Section 194 extends the deadline by which the Secretary may provide direct loans and loan guarantees under the Railroad Rehabilitation and Improvement Financing program for transit-oriented development projects until September 30, 2020.

Section 195 includes a prohibition on issuing grants to entities that do not comply with practices for control system procurement recommended by the U.S. Department of Homeland Security's National Cybersecurity and Communications Integration Center.

## TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### MANAGEMENT AND ADMINISTRATION

#### EXECUTIVE OFFICES

Appropriation, fiscal year 2019 .....	\$14,900,000
Budget request, fiscal year 2020 .....	16,000,000
Recommended in the bill .....	14,788,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	– 112,000
Budget request, fiscal year 2020 .....	– 1,212,000

The Executive Offices (EO) account funds the salaries and expenses for the leadership and executive management offices of the Department. Specifically, these offices are the Office of the Secretary, the Office of the Deputy Secretary, the Office of Congressional and Intergovernmental Relations, the Office of Public Affairs, the Office of Adjudicatory Services, the Office of Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships.

#### COMMITTEE RECOMMENDATION

The Committee recommends the following amounts for each EO office.

Executive Offices (EO)	Request	Recommendation
Office of the Secretary .....	\$4,557,000	\$4,557,000
Office of the Deputy Secretary .....	1,333,000	1,201,000
Office of Adjudicatory Services .....	1,405,000	1,405,000
Office of Congressional and Intergovernmental Relations .....	2,816,000	2,192,000
Office of Public Affairs .....	4,335,000	3,835,000



Executive Offices (EO)	Request	Recommendation
Office of Small and Disadvantaged Business Utilization .....	661,000	661,000
Center for Faith-Based and Neighborhood Partnerships .....	893,000	937,000
Total, EO .....	16,000,000	14,788,000

*Office of the Secretary.*—The Committee provides \$4,557,000 for the Office of the Secretary as requested, but prohibits the augmentation of the office through reprogrammings, transfers, and detailees. The Committee is disappointed by the Department’s lack of candor and forthrightness on matters of policy and program implementation, which influences the resource level required to carry them out effectively.

*Office of Congressional and Intergovernmental Relations (CIR).*—The Committee does not provide any funding to increase the staffing level of the CIR, thereby prohibiting the proposal to realign Appropriations Liaison Division from the Office of the Chief Financial Officer (OCFO) to CIR. The Committee is adamantly opposed to such a realignment because it would upend the current working relationship and natural affinity between the Committee and the OCFO. The Committee insists on direct and unobstructed communications with the OCFO and bureau budget offices.

#### ADMINISTRATIVE SUPPORT OFFICES

Appropriation, fiscal year 2019 .....	\$541,500,000
Budget request, fiscal year 2020 .....	556,500,000
Recommended in the bill .....	521,500,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	– 20,000,000
Budget request, fiscal year 2020 .....	– 35,000,000

The Administrative Support Offices (ASO) appropriation pays for the staff and activity cost that cannot be attributable to specific Department programs. ASO offices provide Department-wide services for both the programs and the program staff. Specifically, these offices are: the Office of the Chief Financial Officer, the Office of the General Counsel, the Office of Field Policy and Management, the Office of Departmental Equal Employment Opportunity, the Office of the Chief Information Officer, and a consolidated Assistant Secretary for Administration.

- The Office of the Chief Financial Officer is responsible for all aspects of financial management, accounting, and budgetary matters.
- The Office of the General Counsel provides legal opinions, advice and services with respect to all programs and activities, and provides counsel and assistance in the development of the Department’s programs and policies.
- The Office of Field Policy and Management are the operational managers in each of the field offices and manage and coordinate cross-program delivery in the field.
- The Office of Departmental Equal Employment Opportunity is to ensure the enforcement of Federal laws relating to the elimination of all forms of discrimination in the Department’s employment practices.
- The Office of the Chief Information Officer is responsible for providing modern information technology that is secure, ac-

cessible and cost effective while ensuring compliance with applicable regulatory requirements.

- The Assistant Secretary for Administration consolidates the Office of Administration, the Office of the Chief Human Capital Officer, the Office of the Chief Procurement Officer, and the Office of Business Transformation into a single office.

- The Office of Administration provides nationwide management and operation of buildings, Freedom of Information Act processing, records management, Privacy Act administration, and disaster and emergency response coordination.

- The Office of the Chief Human Capital Officer provides strategic human capital management, enterprise level training and learning, recruitment and staffing, workforce planning, retention, engagement, succession planning, and Departmental performance management.

- The Office of the Chief Procurement Officer provides advice, guidance, and technical assistance to all departmental offices on matters concerning procurement; assist program offices in defining and specifying their procurement needs; develop and maintain all procurement guidance, including regulations, policies, and procedures; and assist in the development of sound acquisition strategies.

- The Office of Business Transformation facilitates the Department-wide strategic planning process by identifying strategic priorities and change initiatives, monitoring key performance measures, and implementing and overseeing formula and competitive grants.

#### COMMITTEE RECOMMENDATION

The Committee recommends the following amounts for each ASO office.

Administrative Support Offices (ASO)	Request	Recommendation
Office of the Chief Financial Officer .....	\$74,000,000	\$52,691,000
Office of Credit .....	—	[1,200,000]
Office of the General Counsel .....	100,000,000	95,890,000
Office of Field Policy and Management .....	54,000,000	54,000,000
Office of Departmental Equal Employment Opportunity .....	4,000,000	3,900,000
Office of the Chief Information Officer .....	56,000,000	55,019,000
Consolidated: Assistant Secretary for Administration .....	268,500,000	260,000,000
<b>Total, ASO .....</b>	<b>556,500,000</b>	<b>521,500,000</b>

*Access to records.*—The Committee notes with concern the April 29, 2019 Management Alert (2019–IG–0001) issued by the HUD Office of Inspector General. The recommendation continues a funding prohibition in title IV (section 418) that requires agencies to provide their Inspector General with timely access to records, documents, or other materials. The Committee reminds the Department that failure to comply with section 418 is an Antideficiency Act violation.

*Financial transformation initiative.*—The Committee is wholly dissatisfied with the Department’s abbreviated responses to inquiries about the scope, scale, and workplan of the financial transformation initiative and, therefore, provides no funding for it. The Committee’s confidence in this initiative eroded because of the Department’s either inability or unwillingness to keep the House and

Senate Committees on Appropriations apprised of how implementation of the initiative is different from the description provided at the time of the request.

*Hiring and separation report.*—The Committee directs HUD’s Office of the Chief Financial Officer and the Office of the Chief Human Capital Officer to submit quarterly reports to the House and Senate Committees on Appropriations on hiring and separations by program office. This report shall include position titles, location, associated full-time equivalents, total number of unfilled FTEs and the length of time each individual FTE has been unfilled, and include the Office of Inspector General and Government National Mortgage Association.

*Office of the Chief Financial Officer (OCFO).*—The Committee does not support the realignment of staff from OCFO to the Office of Congressional and Intergovernmental Relations (CIR). Therefore, these staff and a corresponding amount of funding remain in OCFO. The Committee is adamantly opposed to such a realignment because it would upend the current working relationship and natural affinity between the Committee and the OCFO. The Committee insists on direct and unobstructed communications with the OCFO and bureau budget offices.

*Office of Credit.*—The Committee supports centralized management and budgeting for the Department’s loan programs to ensure a consistent application of policy and management practices that are unique to these types of programs. Unlike the rest of the Department’s programs, which are budgeted for on a cash basis, loan programs are required to be budgeted for on a net present value basis. The Committee directs the OCFO to establish an Office of Credit dedicated to budgeting and managing loan programs.

#### PROGRAM OFFICES SALARIES AND EXPENSES

Appropriation, fiscal year 2019 .....	\$822,144,000
Budget request, fiscal year 2020 .....	827,000,000
Recommended in the bill .....	849,144,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+27,000,000
Budget request, fiscal year 2020 .....	+22,144,000

The Program Offices Salaries and Expenses (POSE) appropriation pays for the staff cost attributable to specific Department programs, whereas the cost of the assistance is accounted for in the proceeding program accounts, such as Tenant-based Rental Assistance. Each POSE office implements one or more HUD programs.

#### COMMITTEE RECOMMENDATION

The Committee recommends the following amounts for each POSE office.

Program Office Salaries and Expenses (POSE)	Request	Recommendation
Office of Public and Indian Housing .....	\$206,000,000	\$230,000,000
Office of Community Planning and Development .....	114,000,000	117,000,000
Office of Housing .....	399,000,000	386,144,000
Office of Policy Development and Research .....	26,000,000	26,000,000
Office of Fair Housing and Equal Opportunity .....	73,000,000	80,000,000
Office of Lead Hazard Control and Healthy Homes .....	9,000,000	10,000,000
Total, POSE .....	827,000,000	849,144,000

- The Office of Public and Indian Housing oversees the administration of the Public Housing, Housing Choice Vouchers, and Native American programs.
- The Office of Community Planning and Development is responsible for the administration of Community Development Block Grants (CDBG), the Home Investment Partnership (HOME), Homeless Assistance Grants, and other community development programs.
- The Office of Housing implements Federal Housing Administration multi- and single-family homeownership programs and assisted rental housing programs.
- The Office of Policy Development and Research directs the Department’s annual research agenda to support the research and evaluation of housing and other departmental initiatives to improve HUD’s effectiveness and operational efficiencies.
- The Office of Fair Housing and Equal Opportunity receives, investigates, conciliates and recommends the issuance of charges of discrimination and determinations of non-compliance for complaints filed under Title VIII and other civil rights authorities.
- The Office of Lead Hazard Control and Healthy Homes is responsible for the Lead-Based Paint Hazard Reduction program and addressing multiple housing-related hazards affecting the health of residents, particularly children.

*Public and tribal housing inspections.*—The Committee provides additional resources for public and tribal housing to support ongoing public housing financial and physical assessment activities, pilot a new physical inspection process, and implement the recommendations made in the March 2019 Government Accountability Office (GAO) report “Real Estate Inspection Center: HUD Should Improve Physical Inspection Process and Oversight of Inspectors” (GAO–19–254). In addition, these resources are intended to support inspections, monitoring, and other oversight activities conducted by the Office of Native American Programs in support of the Native American Housing Block Grants, Indian Community Development Block Grants, Section 184 Indian Housing Loan Guarantee, and Tribal HUD–VASH programs.

*Sexual harassment in housing.*—The Committee supports the interagency task force between the Departments of Housing and Urban Development (HUD) and Justice (DOJ) to combat sexual harassment in housing that was announced in 2018. The Committee directs the Departments to submit a joint report to the House and Senate Committees on Appropriations no later than 90 days after enactment of this Act on activities of the task force. Specifically, the joint report shall address the development of a shared strategy between HUD and DOJ for combating sexual harassment in housing across the country, continued data sharing and analysis, joint development of training, evaluation of public housing complaint mechanisms, coordination of public outreach and press strategy, and review of Federal policies.

*Violence Against Women Act (VAWA).*—The Violence Against Women Reauthorization Act included critical housing protections for victims of domestic violence, dating violence, sexual assault, and stalking across HUD’s core housing and homelessness programs. The Committee provides additional resources for the De-

partment to carry out these authorities. In particular, the Committee directs the Department to prioritize the creation of guidance and outreach to public housing authorities and private property owners participating in HUD programs on their responsibilities under VAWA including emergency transfers and record retention.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

The Department of Housing and Urban Development’s Working Capital Fund (WCF), in its present form, was established by the Consolidated Appropriations Act, 2016 to perform a limited number of commodity-like administrative functions where economies of scale can be achieved. These functions are limited in statute to: financial management, procurement, travel, relocation, human resources, printing, records management, space renovation, furniture, and supply services.

The Committee does not provide any funding to the WCF. Instead, the WCF staff and its activities are funded with transfers from the Department’s salary and expenses accounts (i.e., Executive Offices, Administrative Support Offices, Program Office Salaries and Expenses, and Government National Mortgage Association).

The Committee expects that, prior to exercising discretion to centrally fund an activity, the Secretary shall have established transparent and reliable unit cost accounting for the offices and agencies of the Department that use the activity, and shall have adequately trained staff within each affected office and agency on resource planning and accounting processes associated with the centralization of funds to this account.

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

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

Appropriation, fiscal year 2019 .....	\$22,598,000,000
Budget request, fiscal year 2020 .....	22,237,500,000
Recommended in the bill .....	23,810,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+1,212,000,000
Budget request, fiscal year 2020 .....	+1,572,500,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$23,810,000,000 for Tenant-Based Rental Assistance. Consistent with the budget request, the Committee continues the advance of \$4,000,000,000 of the funds appro-

priated under this heading for Section 8 programs to October 1, 2020.

	Request	Recommendation
Voucher Renewals .....	\$20,115,541,000	\$21,400,000,000
Administrative Fees .....	1,738,459,000	1,925,000,000
Veterans Affairs Supportive Housing (VASH) .....	---	40,000,000
Tribal HUD-VASH .....	---	5,000,000
Tenant Protection Vouchers .....	130,000,000	150,000,000
Family Unification Vouchers .....	---	40,000,000
Mainstream Vouchers .....	259,500,000	225,000,000
Family Mobility Demonstration .....	---	25,000,000
<b>TOTAL .....</b>	<b>22,237,500,000</b>	<b>23,810,000,000</b>

*Voucher renewals.*—The Committee provides \$21,400,000,000 for the renewal of tenant-based vouchers. The Committee directs the Department to monitor and report to the House and Senate Committees on Appropriations each quarter on the trends in Section 8 subsidies and to report on the required program alterations due to changes in rent or changes in tenant income. The Committee provides additional resources that can be a tool to reduce homelessness among families with children and the unsheltered.

*Veterans Affairs Supportive Housing (VASH).*—To continue the effort to eliminate homelessness among our Nation’s veterans, the Committee provides \$40,000,000 for new, incremental vouchers dedicated to vulnerable veteran households. In addition, no less than \$723,000,000 in voucher renewal appropriation is available to renew approximately 100,000 eligible VASH vouchers funded in prior years. Since 2008, the Committee has provided more than \$755,000,000 in targeted funding to increase the number of VASH vouchers available to address veteran homelessness and billions of dollars have been made available to renew HUD-VASH vouchers over the same period.

*Vouchers for homeless Native American veterans.*—The Committee provides \$5,000,000 for rental assistance and associated administrative costs for Tribal HUD-VASH to serve Native American veterans who are homeless or at risk of homelessness living on or near a reservation, or other Indian areas. The Committee anticipates that most of this funding will be needed to renew previously provided assistance. To the extent funds remain after previously awarded assistance has been renewed, HUD may use the remaining funds to award new assistance based on need and administrative capacity. This program was first funded in fiscal year 2015, and because of the unique nature of the program, a separate renewal line is required. These resources are in addition to VASH appropriations included within voucher renewal funding.

The Committee recognizes that the rural and remote nature of many Native communities presents unique barriers to hiring and retaining qualified professionals who meet the Department of Veterans Affairs (VA) standards for case managers. The Committee encourages HUD to continue working collaboratively with the VA and Tribal HUD-VASH funding recipients to implement their program. In addition, the Committee urges HUD to ensure that Tribal HUD-VASH funding recipients unable to fully implement their program due to challenges hiring and retaining case managers are

not treated inequitably due to delays, particularly in performance evaluations and when applying for continued funding.

*Tenant Protection vouchers.*—The Committee provides \$150,000,000 for Tenant Protection vouchers. The Committee rejects proposals included in the budget to reduce public housing, but includes this increase to address anticipated closures of certain public housing properties unrelated to any reductions proposed by the Administration. In its annual notice of funding awards for tenant protection vouchers, the Department shall also include each specific Property ID and name that experienced a triggering event to support each funding award.

*Section 811 Mainstream vouchers.*—The Committee provides \$225,000,000 for Section 811 tenant-based subsidies. This is equal to the fiscal year 2019 enacted level and sufficient to renew previously awarded eligible vouchers.

*Family Unification Program vouchers.*—The Committee provides \$40,000,000 for Family Unification vouchers. This is \$20,000,000 over the fiscal year 2019 level to provide housing vouchers on demand for at-risk youth who have “aged out” of foster care.

*Homeless veterans on U.S.-Mexico border.*—The Committee notes that there are many homeless veterans living on the U.S.-Mexico border, many of whom have not historically been counted in the point-in-time homeless survey. The Committee directs HUD to take action to ensure that HUD-VASH vouchers are made available to this unique population. The Committee further directs HUD to develop strategies and recommendations for addressing and reducing veteran homelessness on the U.S.-Mexico border, and to provide a report on its efforts within 90 days of enactment of this Act.

*HUD-VASH case management.*—The Committee recognizes the value and impact of the HUD-VA Supportive Housing (VASH) program, which serves veterans experiencing homelessness. Case management services are critically important to the function of the program, and public housing authorities rely on VA Medical Center referrals to house veterans. Due to the joint nature of HUD-VASH funding, the Committee recognizes the importance of the VA’s budget for case managers in relationship to the vouchers provided.

*Section 8 Management Assessment Program.*—In fiscal year 2019, the Committee directed the Department to analyze whether differences in scoring PHAs created inequities and to report to the Committee. The Committee looks forward to receiving the results of the report.

*Collaboration with SAMHSA.*—The Committee directs the Department to conduct a feasibility study with the Department of Health and Human Services to understand how Section 8 vouchers could provide housing opportunities to those who seek SAMSHA supported services, modeled on the success of the HUD-VASH program. Such a report shall include recommendations for Congress on providing authorization for such a program, as well as a review of how federal funds flow to localities, opportunities for local and state partnership with federal agencies, and a review of potential barriers to housing for these individuals. This study should be provided within 120 days of enactment to the House and Senate Committees on Appropriations and the House and Senate authorizing committees.

*Small public housing agencies.*—The Committee is aware of confusion regarding the definition of “rural” as applied to small public housing agencies by the Department of Housing and Urban Development (HUD) in implementing Public Law 115–174. The Committee directs HUD to provide a report to the relevant congressional committees no later than 120 days after enactment of this Act clarifying what small public housing agencies qualify as rural under such law.

*Housing for the reentry population.*—The Committee is encouraged by the actions that HUD has taken to reduce the barriers that the reentry population faces in securing housing. Recognizing that a firm foundation including safe and reliable housing is a critical part of reducing recidivism, the Committee urges HUD to further explore other initiatives to reducing barriers.

*Fair market rents.*—The Committee is aware of the concerns regarding the data used to calculate fair market rents and directs the Department to work with its authorizing Congressional Committees to develop statutory flexibilities for operating the voucher program in such a way that vouchers will be usable in rapidly rising rental markets.

*Purchasing power of vouchers.*—The Committee directs the Department to report to the Committee on the impacts that rising rental market prices have had on the purchasing power of rental assistance vouchers administered by public housing authorities (PHAs), including Moving To Work (MTW) agencies and HUD–VASH vouchers. The Committee directs the Department to develop recommendations regarding funding levels necessary to ensure that PHAs, including MTW agencies, are able to continue serving the same number of households. The Committee is aware that an MTW expansion cohort will study landlord incentive programs and looks forward to the results of that study.

*Hardship exemptions.*—The Committee directs the Department to submit a report to the Committee within 120 days of enactment of this Act that provides the Department’s plan and associated timeline for increasing tenant awareness of hardship exemption policies. This plan must include HUD’s strategy and timing for conducting additional outreach on hardship exemptions, including but not limited to, notice about the availability of hardship exemptions and the applicable process to each family paying or notified of the obligation to pay minimum rents. The plan should also update relevant guidance documents for the covered programs.

*Evictions data.*—The Committee directs the Department to explore what it would take to collect, analyze, and make publicly available data on evictions from all of its Federally-assisted housing properties, including tenant characteristics such as the age, gender, race, and ethnicity of all tenants residing on the property, and report on its findings within 120 days of enactment of this Act.

*Administration “rent reform” proposals.*—The Committee does not include language implementing any of the Administration’s “rent reform” proposals and funds accounts accordingly. The Committee believes these proposals would harm America’s most vulnerable populations and do nothing to address the issues of poverty they face.



HOUSING CERTIFICATE FUND  
(INCLUDING RESCISSIONS)

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

COMMITTEE RECOMMENDATION

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

PUBLIC HOUSING CAPITAL FUND

Appropriation, fiscal year 2019 .....	\$2,775,000,000
Budget request, fiscal year 2020 .....	— —
Recommended in the bill .....	2,855,057,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+80,057,000
Budget request, fiscal year 2020 .....	+2,855,057,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$2,855,057,000 for the Public Housing Capital Fund. The recommendation does not include the request to eliminate this account and direct unobligated balances to the Public Housing Operating Fund, nor does it provide for competitive grants to demolish public housing. The Committee continues to support a significant Federal commitment to public housing and rejects multiple proposals included in the budget intended to facilitate a reduction of the public housing portfolio.

Within the amounts provided, the Committee directs that:

- \$28,000,000 is to support the ongoing public housing financial and physical assessment activities of the Real Estate Assessment Center, pilot a new physical inspection process and implement recommendations made in the March 2019 GAO report (GAO-19-254);
- Up to \$16,000,000 is to support the costs of administrative and judicial receiverships;
- Up to \$30,000,000 is made available for emergency capital needs, excluding Presidentially-declared disasters. The Committee includes language to ensure that funds are used only for repairs needed due to an unforeseen and unanticipated emergency event or natural disaster that occurs during fiscal year 2020, or for certain security measures. Of that amount, \$10,000,000 is for safety and security measures;
- \$25,000,000 is for competitive grants to evaluate and reduce lead-based paint hazards; and

- \$25,000,000 is for competitive grants for activities under the Healthy Homes Initiative, including addressing carbon monoxide poisoning, mold, and other household hazards.

The Committee directs that all PHAs, including those that are troubled, substandard, or are under the direction of HUD, a monitor, or a court-appointed receiver are eligible for funding for competitive grants for both lead-based paint hazards and activities under the Healthy Homes Initiative. The Committee intends that the PHAs with the greatest need will have access to the funds. Additionally, the Committee directs that HUD consider increasing the amount of individual grants so that the scale of the problems can be addressed appropriately.

The Committee notes that funding for the Resident Opportunity and Self-Sufficiency (ROSS) program and Jobs Plus is included in this Act, but has been moved to a new account called Self-Sufficiency Programs.

*Carbon monoxide poisoning.*—The Committee is alarmed at reports of deaths resulting from carbon monoxide poisoning in public housing subsidized by the Department. Therefore, the Committee recommends that the Secretary evaluate requiring carbon monoxide detectors in rental housing that receives funding from HUD.

PUBLIC HOUSING OPERATING FUND

Appropriation, fiscal year 2019 .....	\$4,653,116,000
Budget request, fiscal year 2020 .....	2,863,000,000
Recommended in the bill .....	4,753,116,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+100,000,000
Budget request, fiscal year 2020 .....	+1,890,116,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$4,753,116,000 for the Federal share of PHA operating expenses.

*Quality assurance of physical inspections.*—The Committee is troubled by reports of deplorable living conditions found in some HUD-subsidized properties across the country. The scope of this issue spans geographic regions, highlights systemic problems, and calls into question the effectiveness of HUD oversight, and the Real Estate Assessment Center’s (REAC) inspections of HUD-assisted housing. The Committee encourages the Department to work with the Congress on enforcement actions, including civil monetary penalties, that HUD can take to ensure PHAs and landlords maintain the physical quality of HUD-assisted units. Similarly, while the Committee is supportive of efforts to quickly issue tenant-protection vouchers, the issuance of these vouchers is a tacit acknowl-

edgement that the Department has failed to ensure units are maintained as decent, safe and sanitary. Additionally, failure to maintain the physical condition of HUD-assisted properties results in a loss of critical affordable housing and tenant protection vouchers are of questionable value to families that encounter a lack of affordable housing in their communities. The Committee directs the Department to solicit comments from stakeholders, including tenants, to identify ways the Department can improve its inspection protocols and oversight. The Committee will continue to closely monitor the Department's efforts and progress and directs the Department to submit to the House and Senate Committees on Appropriations within 60 days of enactment of this Act a report identifying how HUD is improving the inspection process and related protocols, including quality assurance of inspections, identified actions yet to be implemented, the status of actions undertaken, and a timeline for completion of all actions.

*Lead assessments in Federally-assisted housing.*—The Committee continues to believe that, given the significant impact lead exposure can have on children and their development, there continues to be a need for lead inspection standards within Federally assisted housing, including public housing and the Housing Choice Voucher program. The Committee believes that the Department has the statutory authority necessary to require stringent inspections when checking homes for lead paint. Visual lead inspections have proven insufficient and more rigorous standards such as requiring risk assessments prior to a family moving into a home should be considered, where appropriate, to ensure that children living in Federally-assisted homes are protected from lead poisoning.

*Operating fund adjustment factors.*—The Committee is concerned that the Department's current methodology for calculating formula income and utility expenses for PHAs does not accurately reflect the reality that many experience locally. This is especially true for those PHAs that serve large elderly or disabled populations, or operate on a utility that is of higher cost than other parts of the country. The Committee appreciates that the Department takes seriously concerns raised by PHAs and is reviewing its data and evaluating alternative approaches. The Committee directs the Department to report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act on alternative methodologies for calculating PHA formula income for purposes of Operating Fund eligibility.

*Enterprise Income Verification.*—The Committee directs the Department, through its Enterprise Income Verification system, to ensure that all public housing authorities have automated access to upfront income verification tools that provide current employment and income information available through payroll data providers in addition to data already provided via data matching agreements with the Social Security Administration and the Department of Health and Human Services. The Committee directs the Department of Housing and Urban Development to enter into legal agreements with payroll data providers to provide current employment and income information to housing agencies.

CHOICE NEIGHBORHOODS INITIATIVE

Appropriation, fiscal year 2019 .....	\$150,000,000
Budget request, fiscal year 2020 .....	— —
Recommended in the bill .....	300,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+150,000,000
Budget request, fiscal year 2020 .....	+300,000,000

The CHOICE Neighborhoods Initiative leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation. The program uses Federal grants to help communities transform neighborhoods by revitalizing severely distressed public and/or assisted housing and catalyzing critical improvements in the neighborhood, including vacant property, housing, businesses, services, and schools.

COMMITTEE RECOMMENDATION

The Committee recommends \$300,000,000 for the Choice Neighborhoods Initiative Program.

The Committee encourages the Department to give prior year planning grant recipients priority consideration when awarding implementation grants.

SELF-SUFFICIENCY PROGRAMS

Appropriation, fiscal year 2019 .....	\$130,000,000
Budget request, fiscal year 2020 .....	75,000,000
Recommended in the bill .....	150,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+20,000,000
Budget request, fiscal year 2020 .....	+75,000,000

HUD funds several programs to help low-income families living in subsidized housing enhance job skills, increase earnings and improve economic security. This recommendation moves the Family Self-Sufficiency (FSS), Resident Opportunity and Self-Sufficiency (ROSS), and Jobs Plus programs into a new account entitled Self-Sufficiency Programs. Previously, Jobs Plus and ROSS were funded through the Public Housing Capital Fund.

The FSS program provides grants to public housing authorities (PHAs) for FSS coordinators and, with authorization legislation enacted in 2018, has expanded eligibility to residents of Project-Based Rental Assistance housing. The ROSS program funds Service Coordinators to work with residents of Public and Indian Housing. The Jobs Plus Initiative provides grants to PHAs, which are required to partner with Department of Labor jobs centers.

COMMITTEE RECOMMENDATION

The Committee provides a total of \$150,000,000 for Self-Sufficiency Programs. The following table outlines the funding recommended for activities under this section.

	Request	Recommendation
Family Self-Sufficiency .....	\$75,000,000	\$100,000,000
Resident Opportunity and Self-Sufficiency .....	---	35,000,000
Jobs Plus .....	---	15,000,000

	Request	Recommendation
Total .....	75,000,000	150,000,000

*FSS authorization changes.*—This recommendation reflects authorizing changes made by the Family Self-Sufficiency Act and enacted in Public Law 115–174 (Section 306), which streamline FSS program administration and expand the program to residents of Project-Based Rental Assistance properties. HUD has not yet proposed regulations to implement these changes. The Committee directs HUD to complete and release revisions to the FSS regulations no later than 90 days after enactment of this Act.

*FSS data.*—The Committee directs HUD to submit data annually to the House and Senate Committees on Appropriations showing FSS participation, escrow accumulation, and graduation rates for various racial and ethnic groups participating in FSS (regardless of receipt of FSS coordinator grants), consistent with the categories used in HUD Forms 50058 and 50059. If HUD has not incorporated FSS data gathered into Form 50059 used by owners of PBRA properties to report tenant data by January 1, 2020, HUD shall match the racial and ethnic data submitted by owners on that form with the FSS data.

*Promoting upward mobility.*—The Committee directs the Department to explore opportunities for stronger interagency collaboration to effectively promote and execute upward mobility and economic empowerment for HUD-assisted households through education and workforce development, including enhancement of current Department initiatives such as FSS, Jobs Plus, and ROSS. A report on proposed interagency collaboration projects shall be submitted to the House and Senate Committees on Appropriations within 270 days of the enactment of this Act.

NATIVE AMERICAN PROGRAMS  
(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2019 .....	\$820,000,000
Budget request, fiscal year 2020 .....	600,000,000
Recommended in the bill .....	855,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+35,000,000
Budget request, fiscal year 2020 .....	+255,000,000

The Act restructures the major programs administered by HUD’s Office of Native American Programs into a single account. The Native American Programs account funds the Native American Housing Block Grants and Indian Community Development Block Grants programs. The Native American Housing Block Grants program, authorized by the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), provides funding to American Indian tribes and their Tribally Designated Housing Entities (TDHEs) to help address affordable housing needs within their communities. The Indian Community Development Block Grants program, authorized under title I of the Housing and Community Development Act of 1974, provides American Indian tribes the opportunity to compete for funding to address tribal community development needs.

## COMMITTEE RECOMMENDATION

The Committee provides \$855,000,000 for the Native American Programs account. The following table provides funding levels for activities within this account.

	Request	Recommendation
Native American Housing Block Grants—Formula .....	\$598,000,000	\$671,000,000
Title VI Loan Program .....	2,000,000	2,000,000
Native American Housing Block Grants—Competitive .....	---	100,000,000
Indian Community Development Block Grants .....	---	75,000,000
Training and Technical Assistance .....	---	7,000,000
<b>Total .....</b>	<b>600,000,000</b>	<b>855,000,000</b>

A January 2017 report published by HUD confirmed that homelessness in tribal areas translates into overcrowded homes, finding that between 42,000 and 85,000 Native Americans were living with friends or relatives only because they had no place of their own and to prevent homelessness. According to the report, 33,000 new units are needed in Indian country to eliminate overcrowding and another 35,000 new units are needed to replace units that are physically inadequate. Recognizing this significant need for affordable housing and improving living conditions in tribal communities across the nation, the Committee recommendation provides \$25,000,000 more than the amount provided in fiscal year 2019 for formula grants to tribes and TDHEs under the Native American Housing Block Grants program. In addition, for the third consecutive fiscal year, the Committee provides \$100,000,000 in additional resources through competitive grants to be awarded on the basis of need and administrative capacity to recipients eligible under NAHASDA. Further, the Committee notes that \$1,727,000 in fiscal year 2017 appropriated funding was provided to the Section 184 Indian Housing Loan Guarantee program for the construction of rental housing for law enforcement, healthcare, educational, technical, and other skilled workers. The Committee encourages tribes and TDHEs to consider utilizing this support for workforce housing when developing projects for the competitive grants under the Native American Housing Block Grants program.

Similarly, the needs continue to exceed the funding available for the Indian Community Development Block Grants program. In fiscal year 2017, HUD was only able to fund 62 percent of the eligible applications received. Given the challenges in Indian country and the limited resources available to address them, the Committee recommendation provides \$10,000,000 more than the amount provided in fiscal year 2019 for the Indian Community Development Block Grants program.

*Formula grant overfunding.*—The Native American Housing Block Grants allocation formula is based on need as measured in part by current assisted housing stock. However, housing data used to calculate allocations in any given year often contains inaccuracies that are subsequently corrected. These data revisions result in some Indian tribes having received grants in excess of their accurate formula allocation which in turn causes all other Indian tribes to be technically underfunded for that same year. To address this recurring problem, the Department has in the past recouped prior year awards made in excess of eligibility by offsetting current year

awards. The Committee believes that this practice is within the Department’s authority. To ensure that Native American Housing Block Grants under this heading are allocated accurately and in accordance with statutory requirements, the Committee directs the Department to continue the practice of offsetting formula allocations in fiscal year 2020 should it receive data indicating that an overpayment occurred, provided the Department takes action within three years from the date the Formula Response Form is sent out. If the Department recoups funds from a tribe and a subsequent appeals process determines that the funds should not have been recouped, the Committee directs the Department to increase the tribe’s next funding allocation, following the final appeals determination, equal to the amount of the improperly recouped funds.

*Technical assistance.*—The Committee provides \$7,000,000 for technical assistance needs in Indian country to support the Native American Housing Block Grants program, the Indian Community Development Block Grants program, and other HUD programs in order to meet the needs of Native American families and tribal communities. The Committee directs HUD to use the technical assistance funding to aid tribes with capacity challenges. The funding should be used for training, contract expertise, inspections, and other services necessary to address needs identified by tribes. Of the total technical assistance funding provided, no less than \$2,000,000 shall be awarded to a national organization as authorized by section 703 of NAHASDA.

*Reservation housing.*—The Committee recognizes the importance of housing assistance provided as a result of NAHASDA and encourages the Department to support efforts by tribes to renovate substandard reservation housing. HUD has an obligation to ensure that housing in its inventory is transferred to Indian tribes, TDHEs, or eligible Native American families as expeditiously as possible.

The Committee also recognizes that a number of coastal tribal communities are actively working to relocate homes and other critical infrastructure to higher ground to mitigate the impacts of climate change. The Committee encourages the Department to prioritize funding and technical assistance resources to support these efforts and to encourage resilient building and planning practices throughout Indian Country.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

Appropriation, fiscal year 2019 .....	\$1,440,000
Budget request, fiscal year 2020 .....	2,500,000
Recommended in the bill .....	2,500,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+1,060,000
Budget request, fiscal year 2020 .....	---

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

COMMITTEE RECOMMENDATION

The Committee provides \$2,500,000 in new credit subsidy for the Section 184 loan guarantee program. This will support a loan volume of \$1,000,000,000.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

Appropriation, fiscal year 2019 .....	\$2,000,000
Budget request, fiscal year 2020 .....	---
Recommended in the bill .....	2,500,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+500,000
Budget request, fiscal year 2020 .....	+2,500,000

The Hawaiian Homelands Homeownership Act of 2000 created the Native Hawaiian Housing Block Grant program to provide grants to the State of Hawaii Department of Hawaiian Home Lands (DHHL) for housing activities on Hawaiian home lands, in order to develop, maintain, and operate affordable housing for eligible low-income Native Hawaiian families. As one of the United States' indigenous people, Native Hawaiian people have a unique relationship with the Federal government.

COMMITTEE RECOMMENDATION

The Committee provides \$2,500,000 for the Native Hawaiian Housing Block Grant program. The Committee encourages the Department to continue to provide technical assistance to DHHL in developing and executing plans to meet the housing needs of low-income Native Hawaiians.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM  
ACCOUNT

Section 184A of the Housing and Community Development Act of 1992 established a loan guarantee program for Native Hawaiian families who are eligible to reside on Hawaiian home lands and would otherwise face barriers to acquiring such financing because of the unique legal status of the Hawaiian home lands.

COMMITTEE RECOMMENDATION

The Committee provides no funding for the Section 184A loan guarantee program as proposed in the budget request. The program operates on a negative subsidy basis and has sufficient balances of prior year loan guarantee limitation to continue making Section 184A loans.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PEOPLE WITH AIDS

Appropriation, fiscal year 2019 .....	\$393,000,000
Budget request, fiscal year 2020 .....	330,000,000
Recommended in the bill .....	410,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+17,000,000
Budget request, fiscal year 2020 .....	+80,000,000

The Housing Opportunities for Persons with AIDS (HOPWA) program provides States and localities with resources to address the housing needs of low-income persons living with HIV/AIDS. Stable



housing can reduce risky behavior, improve adherence to medication, and reduce HIV transmission. Funding is distributed primarily by formula to qualifying States and metropolitan areas based on the number of individuals living with HIV/AIDS reported to the Centers for Disease Control, housing costs, and poverty rates. Government grantees are required to have a HUD-approved Comprehensive Plan.

COMMITTEE RECOMMENDATION

The Committee recommends \$410,000,000 for HOPWA, which will ensure that grantees are held harmless as the Department implements HOPWA formula modernization. The Committee recommendation includes formula grants and funding for the renewal of certain expiring contracts that were previously funded under HOPWA competitive grants.

*Priority renewal for competitive grants.*—The Department requested the removal of a provision which requires that competitive grantees receive priority renewal. The recommendation does not include that change. However, the Committee believes that holding projects accountable for their ability to demonstrate effectiveness through performance data is essential to getting the most out of limited Federal resources. The Committee directs the Department to work with communities to prepare to implement this change in the future.

COMMUNITY DEVELOPMENT FUND

Appropriation, fiscal year 2019 .....	\$3,300,000,000
Budget request, fiscal year 2020 .....	—
Recommended in the bill .....	3,600,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+300,000,000
Budget request, fiscal year 2020 .....	+3,600,000,000

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

COMMITTEE RECOMMENDATION

The Committee recommends a total of \$3,600,000,000 for the CDBG formula program for entitlement communities and States. Funding is also provided for Indian CDBG, but it has been moved to the new Native American Programs account.

Of the amount provided for the CDBG formula programs, \$7,000,000 is for insular areas, per 42 U.S.C. 5306(a)(2), which is the same as the fiscal year 2019 enacted level.

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

*Resilience.*—The Secretary is directed to encourage grantees of the CDBG program to utilize funds for activities designed to increase project resilience to harden structures to withstand severe weather and other natural hazards, including flooding, wind, and other hazards identified by the Secretary. In addition, the Com-

mittee recommends that the Secretary issue guidelines for jurisdictions relating to the appropriate inclusion of residential manufactured homes in a Consolidated Plan of the jurisdiction.

A provision in the Title II General Provisions directs the Department to make data for broadband and resiliency requirements to be incorporated into Consolidated Plans available to grantees not later than 90 days after enactment of this Act and requires grantees to incorporate broadband and resiliency components into their Consolidated Plans not later than 270 days after enactment of this Act.

*Distressed coal communities.*—The Committee encourages the Department to prioritize technical assistance to assist coal communities emerging from economic downturn and help utilize CDBG funds to revitalize those communities.

*Transitional housing for individuals exiting recovery.*—The Committee recognizes the importance of stable transitional living environments for individuals in recovery from substance misuse disorder, including opioid addiction. The Committee directs HUD to encourage CDBG recipients to provide funding to organizations that offer transitional housing opportunities to those in recovery and looks forward to receiving HUD's guidance on how relevant programs would be operated.

*Best practices.*—The Committee recognizes that the flexibility of CDBG is a great asset to bring development to communities with diverse needs. The Committee urges the Department to conduct trainings on best development practices gleaned from success stories from urban areas to provide technical expertise to other struggling urban areas on how best to invest and leverage these grants. The Committee directs the Department to submit a report to the Committee on these efforts within 120 days of enactment of this Act.

*Weatherization report.*—The Committee recognizes that many individuals who would otherwise be eligible for the Weatherization Assistance Program (WAP) have homes with structural deficiencies—particularly of the roof and building envelope—which preclude them from participating. Within 180 days of enactment of this Act, the Department shall issue a report to the Committee characterizing the deficiencies of these homes and the costs to meet the requirements of the WAP. The report shall correlate the needs of the homes with the demographics of the residents and their geographical location with particular attention paid to cities eligible for Hardest Hit Funds. The Department is also directed to provide technical assistance and educational training opportunities to its regional staff and grantees on utilizing HOME funds along-side other complementary weatherization funds from LIHEAP and the Department of Energy. HUD shall instruct grantees about the possibilities of a community approach in outreach.

*Small communities surveys.*—The Committee understands that the Department is completing an analysis of small survey sample problems in Washington State and looks forward to seeing the results and any accompanying recommendations within 120 days of enactment of this Act.

*Neighborhood Stabilization/Hardest Hit Fund.*—The Committee notes that Neighborhood Stabilization Program grantees have \$400,000,000 remaining in grant funds and program income and

encourages the Department to work with grantees to address the need for revitalization of distressed neighborhoods.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

	Budget authority	Limitation on guaranteed loans
Appropriation, fiscal year 2019 .....	---	\$300,000,000
Budget request, fiscal year 2020 .....	---	---
Recommended in the bill .....	---	300,000,000
Bill compared with:		
Appropriation, fiscal year 2019 .....	---	---
Budget request, fiscal year 2020 .....	---	+300,000,000

The Section 108 Loan Guarantee program is a source of variable and fixed-rate financing for communities undertaking projects eligible under the CDBG program.

COMMITTEE RECOMMENDATION

The Committee recommendation continues the Section 108 Loan Guarantee program as a borrower-paid subsidy program, and therefore recommends providing no budget authority, but provides a limit on guaranteed loan volume of \$300,000,000.

HOME INVESTMENT PARTNERSHIPS PROGRAM

Appropriation, fiscal year 2019 .....	\$1,250,000,000
Budget request, fiscal year 2020 .....	---
Recommended in the bill .....	1,750,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+500,000,000
Budget request, fiscal year 2020 .....	+1,750,000,000

The HOME Investment Partnerships Program provides block grants to participating jurisdictions (States and units of general local government) to undertake activities that expand the supply of affordable housing. HOME block grants are distributed based on formula allocations. Upon receipt of these Federal funds, State and local governments develop a housing affordability strategy to acquire, rehabilitate, or construct new affordable housing, or to provide rental assistance to eligible families.

COMMITTEE RECOMMENDATION

The Committee recommends \$1,750,000,000 for activities funded under this account. This increase is especially significant because the HOME program is both an infrastructure program that creates jobs and one that serves vulnerable populations by enabling States and localities to expand their supply of affordable housing. HOME has invested \$31,900,000,000 since 1992 to help build and preserve about 1,300,000 affordable homes and to provide direct rental assistance to more than 358,000 families. This investment has supported more than 640,000 jobs and leveraged over \$147,000,000,000 in other public and private funds.

*High-cost metropolitan areas.*—In fiscal year 2019, the Committee directed the Department to report to the House and Senate Committees on Appropriations to identify metropolitan areas where entry limits harmful to geographic and economic mobility are most prevalent and to recommend best practices to promote the produc-

tion of new housing stock in such areas. The Committee looks forward to receiving that report.

*Increasing homeownership opportunities.*—The Committee encourages the Department to examine HOME’s rental unit requirements, which may inhibit opportunities for homeownership for income eligible homebuyers under the program.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

Appropriation, fiscal year 2019 .....	\$54,000,000
Budget request, fiscal year 2020 .....	---
Recommended in the bill .....	55,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+1,000,000
Budget request, fiscal year 2020 .....	+55,000,000

The Self-Help and Assisted Homeownership Opportunity Program (SHOP) helps support low-income homeownership by providing funding for non-profits and consortia that utilize the sweat-equity model to build housing for first-time homeowners. Grant funds are used for land acquisition and improvements associated with developing new, quality dwellings for low-income persons, including those living in colonias, using the self-help model.

Section 4 Capacity Building funds are set aside within this account and are awarded to a limited number of non-profits to develop the capacity of community development corporations and community housing development organizations to carry out community development and affordable housing activities. Section 4 funds must be matched by recipients with at least three times the grant amount in private funding.

COMMITTEE RECOMMENDATION

The Committee recommends \$55,000,000 for the Self-Help and Assisted Homeownership Program and directs that Section 4 funds be awarded competitively to non-profits to aid community development corporations and community housing development organizations. The following table provides funding levels for activities within this account.

	Request	Recommendation
SHOP .....	---	\$10,000,000
Section 4 Capacity Building .....	---	40,000,000
[Rural Capacity Building] .....	[- - -]	[5,000,000]
National Organizations Rural Housing Capacity Building .....	---	5,000,000
Total .....	---	55,000,000

HOMELESS ASSISTANCE GRANTS

Appropriation, fiscal year 2019 .....	\$2,636,000,000
Budget request, fiscal year 2020 .....	2,598,600,000
Recommended in the bill .....	2,800,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+164,000,000
Budget request, fiscal year 2020 .....	+201,400,000

The Homeless Assistance Grants account provides funding for programs under title IV of the McKinney Act, as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. HEARTH Act programs include the Con-

tinuum of Care (CoC) competitive grants, the Emergency Solutions Grants (ESG) program, and the Rural Housing Stability Grants program.

COMMITTEE RECOMMENDATION

The Committee recommends \$2,800,000,000 for homeless assistance grants, available until September 30, 2022. The following table provides funding levels for activities within this account.

	Request	Recommendation
Continuum of Care .....	\$2,321,600,000	\$2,344,000,000
Emergency Solutions Grants .....	270,000,000	290,000,000
Domestic Violence Survivors .....	---	50,000,000
Homeless Data Analysis Project .....	7,000,000	7,000,000
Youth Homelessness Demonstration .....	---	100,000,000
Unallocated .....	---	9,000,000
<b>TOTAL .....</b>	<b>2,598,000,000</b>	<b>2,800,000,000</b>

*Performance-driven funding awards.*—Holding projects accountable to their ability to demonstrate effectiveness through performance data is essential to getting the most out of limited Federal resources. While the recommendation does not include bill language directing the Secretary to increase the share of funding on the basis of system performance as in prior years, the Committee recognizes the increased competition in the program and directs the Secretary to maintain the share of the score awarded on performance criteria.

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

*HUD HAG Fund.*—The Homeless Assistance Grants account recaptures funding from grantees that are unable to utilize grant awards in a given fiscal year. HUD’s use of recaptures has ensured that grantees remain accountable in providing services and meeting performance goals. However, in fiscal year 2018, HUD allowed \$164,000,000 of prior year funding to lapse. These funds could have been used to deepen America’s response to homelessness. The Committee recommendation includes language in section 231 that creates the “HUD HAG Fund” which allows the Department to deposit recaptured funds into a central account and to use those funds until expended. The funding may be used in the Continuum of Care program and the Emergency Solutions Grant program. Additionally, no less than 10 percent of the funds will be targeted for new grants to rural areas and no less than 10 percent for a new program to assist people experiencing homelessness in areas that were impacted by a major natural disaster. Past data indicate that the HUD HAG Fund will provide approximately \$90,000,000 in additional resources to fight homelessness each year.

*Comprehensive approaches to serving homeless youth.*—The recommendation includes \$100,000,000 for a fifth round of the youth homelessness demonstration program, of which up to \$10,000,000 shall be used to provide technical assistance and capacity building.

The Committee believes that every Continuum of Care must provide safe, inclusive, and culturally appropriate services for homeless youth. LGBTQ youth and youth of color are disproportionately impacted by experiences of homelessness. In anticipation of the transition from a demonstration program to services provided by all continua of care, the Committee directs the Secretary to compile best practices in serving youth experiencing homelessness and disseminate those best practices to all grantees.

Further, the Committee recognizes the challenges faced by vulnerable youth exiting the foster care system who face significantly higher risks of experiencing homelessness, domestic violence, and sex trafficking. The Committee encourages HUD to diligently ensure that the Continuum of Care program continues to address all populations including youth who have aged out of foster care.

*Maintaining progress toward ending youth homelessness.*—The Administration’s regulatory impact analysis accompanying the proposed rule “Housing and Community Development Act of 1980: Verification of Eligible Status” regarding undocumented immigrants in assisted housing indicates that the proposed rule would threaten the housing tenure of thousands of children who are U.S. citizens. The recommendation prohibits HUD from implementing the proposed rule or proposing a similar rule in the future. The Committee rejects this and any other proposal that would likely increase the number of homeless youth.

A 2012 study from the Williams Institute indicated that LGBTQ youth comprised up to 40 percent of the homeless population, and a 2017 study from Chapin Hall indicates that LGBTQ youth were 120 percent more likely to experience homelessness than non-LGBTQ youth. HUD’s Equal Access to Housing rules (77 FR 5662 and 81 FR 64763) are critical in ensuring that all homeless youth have access to services. To ensure progress toward ending youth homelessness, the recommendation includes a prohibition on HUD altering or rescinding these rules. In January 2017, HUD withdrew guidance that clarified the Equal Access to Housing rules—guidance of practical use to providers who serve youth experiencing homelessness. In fiscal years 2016 and 2019, the Committee requested that the Department provide a report detailing the Department’s strategy for continuing to ensure that LGBTQ individuals have access to HUD programs for which they are eligible, and the plan for disseminating this information to PHAs. HUD has yet to provide such a strategy or a plan. Accordingly, the recommendation includes language restoring the guidance that was withdrawn in 2017 and codifies the guidance in law. Together, these actions will ensure that all homeless youth have access to HUD-funded services.

Finally, the recommendation also includes language that requires HUD to use the criteria specified in the 2018 notice of funding availability (NOFA) when administering homeless assistance grants programs. HUD’s fiscal year 2018 NOFA provides a framework that prioritizes permanent housing first, while allowing for the strategic use of transitional housing for targeted populations, including homeless youth.

*Addressing the needs of victims and survivors of domestic violence, sexual violence and stalking.*—The recommendation includes \$50,000,000 for rapid re-housing and supportive service projects for

survivors of domestic violence, sexual assault, dating violence, and stalking. The Committee recommends that the Department and CoCs partner with providers, including victim service providers, that have experience in delivering trauma-specific and culturally appropriate care to survivors.

*Companion animals.*—The Committee directs the Secretary to enter into consultation with the Secretary of Agriculture within 60 days of enactment of this Act, and enter into a memorandum of understanding as directed, to establish the requirements for grant application and execution under Section 12502 of P.L. 115–334, the Agriculture Improvement Act of 2018, to provide emergency and transitional shelter and housing options for domestic violence survivors with companion animals.

*Trauma-informed care.*—The Committee recognizes the value of trauma-informed care and housing services and supports expanding the availability of these services to families, families with children, and individuals that are currently, or on the verge of, being homeless.

*Unsheltered homelessness.*—The Committee directs the Secretary to prioritize interventions that will reduce unsheltered homelessness in both the Continuum of Care and Emergency Solutions Grants programs. The Committee reminds grantees that the Emergency Solutions Grant program can be used as a tool to prevent evictions.

*Service needs of local communities.*—The Committee recognizes that local communities are best able to determine the housing and service needs of different local homeless populations, including youth, families, veterans, persons with disabilities, and others, and may wish to do more to address the needs of the populations for which they identify the greatest local gaps. The Committee encourages HUD to honor communities' pressing local priorities and assessments of need.

*Additional homeless housing options.*—The Committee directs the Department to report on the legislative and programmatic changes required to utilize “tiny homes” to house homeless individuals through the Continuum of Care program. The report should also identify other HUD programs where tiny house construction and operation are eligible uses of funds. The report should be provided 120 days after enactment of this Act.

*Homelessness and transit.*—The Committee recognizes that the lack of affordable housing is resulting in increasing numbers of homeless individuals and families using public transit systems for shelter. The Committee encourages Community Planning and Development, together with the FTA, to collaborate with local transit agencies and homelessness stakeholders to develop collaborative, multi-sectoral strategies and models to address the needs of transit systems and homeless populations using transit for shelter.

## HOUSING PROGRAMS

## PROJECT-BASED RENTAL ASSISTANCE

Appropriation, fiscal year 2019 .....	\$11,747,000,000
Budget request, fiscal year 2020 .....	12,021,000,000
Recommended in the bill .....	12,590,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+843,000,000
Budget request, fiscal year 2020 .....	+569,000,000

The Project-Based Rental Assistance (PBRA) account provides rental assistance to approximately 1.2 million low-income and very low-income households in specific multifamily rental developments. The assistance is provided through contracts with private landlords, so the property itself is subsidized. This account includes funding for the renewal of expiring project-based contracts, including Section 8, moderate rehabilitation, and single room occupancy contracts, amendments to Section 8 project-based contracts, and administrative costs for contract administration.

## COMMITTEE RECOMMENDATION

The Committee provides a total of \$12,590,000,000, including \$400,000,000 provided as advance appropriations, for the annual renewal of project-based contracts. The recommendation funds renewals and amendments, provides 12 months of funding for all contracts in the portfolio, and also includes \$345,000,000 for performance-based contract administrators. The Committee rejects the rental reforms proposed in the Administration's budget request.

*Performance-based contract administrators (PBCAs).*—PBCAs are responsible for conducting on-site management reviews of assisted properties, adjusting contract rents, and reviewing, processing, and paying monthly vouchers, among other tasks. PBCAs have been integral to the Department's efforts to be more effective and efficient in the oversight and monitoring of HUD-assisted housing, reduce improper payments, protect residents, and ensure properties are well maintained.

The Committee remains concerned about HUD's PBCA solicitation and awards procedures, which have resulted in litigation, as well as by the structure of the contracts, which increases costs and creates the potential for excessive profits. The fees earned by PBCAs are based on the area's fair market rent and are unrelated to the costs of performing the contract. HUD spent hundreds of millions on incentive fees for performing required tasks on time and for providing customer service. A Committee analysis of the 2011 and 2012 PBCA bids indicates that competitive bidding of PBCA contracts could have saved \$80 to \$100 million in fiscal year 2017 alone.

The Committee recognizes that HUD is working to develop a new solicitation for PBCA contracts while balancing Court rulings, stakeholder comments and requirements under the Federal Acquisition Regulations and Competition in Contracting Act. The Committee looks forward to the process moving forward with a new contract structure that removes the potential for excessive profits. The Committee also directs HUD to ensure that affected stakeholders have sufficient time to submit comments and provide input regarding any proposed program changes.



HOUSING FOR THE ELDERLY

Appropriation, fiscal year 2019 .....	\$678,000,000
Budget request, fiscal year 2020 .....	644,000,000
Recommended in the bill .....	803,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+125,000,000
Budget request, fiscal year 2020 .....	+159,000,000

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

COMMITTEE RECOMMENDATION

The Committee provides \$803,000,000 for Housing for the Elderly, which will fully fund contract renewals and amendments. Up to \$95,000,000 of that amount may be directed to service coordinators and the continuation of congregate services grants to provide supportive services for frail residents. This recommendation includes more than \$140,000,000 for new construction of affordable senior housing. The Committee continues to include bill language relating to the initial contract and renewal terms for assistance provided under this heading and language allowing funds to be used for inspections and analysis of data by HUD's real estate assessment center (REAC) program office. The Committee rejects rental reforms proposed in the budget request.

*New construction.*—For the third year in a row, the Committee is providing significant resources for new construction of affordable housing for low-income elderly residents. These investments reflect the Committee's commitment to increase the supply of senior housing and address acute housing shortages. Currently, HUD can only provide assisted housing to one out of three eligible seniors, and that shortage will only increase as Baby Boomers age into retirement. The Committee directs the Department to move expeditiously to develop Notices of Funding Availability to begin construction on this much needed housing as quickly as possible.

*Aging in place.*—The Committee recognizes that significant cost savings are associated with independent living, as opposed to a nursing home or assisted living facility. The Act provides \$10,000,000 to continue an aging in place program which provides grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs to meet the needs of low-income elderly persons to enable them to remain in their primary residence.

HOUSING FOR PERSONS WITH DISABILITIES

Appropriation, fiscal year 2019 .....	\$184,155,000
Budget request, fiscal year 2020 .....	157,000,000
Recommended in the bill .....	258,510,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+74,355,000
Budget request, fiscal year 2020 .....	+101,510,000

The Housing for Persons with Disabilities (Section 811) program provides eligible private, non-profit organizations with capital

grants to finance the acquisition, rehabilitation or construction of supportive housing for disabled persons and provides project-based rental assistance (PRAC) to support operational costs for such units.

COMMITTEE RECOMMENDATION

The Committee provides \$258,510,000 for Housing for Persons with Disabilities, which will fully fund project rental assistance and project assistant contract renewals and amendments. This recommendation includes \$96,510,000 for new construction of affordable housing for persons with disabilities. The recommendation continues to include bill language allowing funds to be used for inspections and analysis of data by HUD’s REAC office. The Committee rejects rental reforms proposed in the budget request.

*Importance of supportive services.*—Access to affordable housing is a significant barrier to providing persons with disabilities with the option of independent living, which is significantly more cost-effective than nursing homes or other institutions. The Committee is deeply concerned by reports that in some States, despite long waiting lists for 811-funded housing, units remain vacant due to the lack of supportive services. These services are a program requirement and are essential to meeting program goals. The Committee has provided increased resources over the past several years for the Section 811 program to address the need for affordable housing for persons with disabilities. The Committee directs the Department to work with housing providers to ensure that 811 projects are meeting program goals. In addition, the Department is directed to provide the House and Senate Committees on Appropriations and the authorizing Committees with information on vacancy rates and waiting lists (by State), how 811-funded projects are partnering with service providers including State health and human services departments and Medicaid agencies to provide access to community-based supportive services, and recommendations to ensure that necessary supportive services for tenants are provided in all units.

HOUSING COUNSELING ASSISTANCE

Appropriation, fiscal year 2019 .....	\$50,000,000
Budget request, fiscal year 2020 .....	45,000,000
Recommended in the bill .....	60,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+10,000,000
Budget request, fiscal year 2020 .....	+15,000,000

The Housing Counseling Assistance program, authorized under Section 106 of the Housing and Urban Development Act of 1968, works with a nationwide network of housing counseling agencies and counselors to provide tools to current and prospective homeowners and renters so they can make responsible choices to address their housing needs. Housing counseling services range from addressing homelessness and preventing foreclosures to planning for first-time home purchases. Housing counselors have also provided assistance to victims of natural disasters.

COMMITTEE RECOMMENDATION

The Committee recommends \$60,000,000 for Housing Counseling Assistance, which will help provide quality counseling services to 1.3 million consumers. The Committee retains bill language that provides two-year funding availability, requires the Department to make grants within 180 days of enactment, and allows multi-year agreements.

*Eviction counseling.*—Nearly one million households in the United States were evicted in 2016. The Committee is concerned about the short- and long-term effects of these evictions on families and individuals. The Committee directs the Department to work with housing counselors to improve prevention efforts in order to assist renters at risk of eviction and to report to the House and Senate Committees on Appropriations within 120 days of enactment of this Act on their efforts to improve their processes, including the identification of any barriers to the collection of data on at-risk households, and how the Department will augment the services offered by housing counselors.

*Language accessibility.*—The Housing Counseling Assistance program publishes flyers, brochures, and posters in Spanish and English to help homebuyers and renters make informed decisions. The Committee directs the Department to expand publication of Housing Counseling Assistance resources in additional languages, prioritizing based on data published by the U.S. Census Bureau on the most commonly spoken languages in the United States.

RENTAL HOUSING ASSISTANCE

Appropriation, fiscal year 2019 .....	\$5,000,000
Budget request, fiscal year 2020 .....	3,000,000
Recommended in the bill .....	3,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	–2,000,000
Budget request, fiscal year 2020 .....	– – –

As the contracts for Rent Supplement and Rental Assistance Payment expire, these properties can be preserved as affordable housing stock under the Rental Assistance Demonstration program. The Rental Housing Assistance program bridges the costs attributable to the timing of this conversion.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

Appropriation, fiscal year 2019 .....	\$12,000,000
Budget request, fiscal year 2020 .....	12,000,000
Recommended in the bill .....	12,400,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+400,000
Budget request, fiscal year 2020 .....	+400,000

The Office of Manufactured Housing establishes and enforces Federal standards for the design and construction of manufactured homes to assure quality, durability, safety, and affordability. All manufactured homes are required to meet Federal standards, and fees are charged to producers to cover the costs of administering the program.

COMMITTEE RECOMMENDATION

The Committee recognizes the difficulty that communities have in providing affordable housing to residents and encourages the Secretary to consider incorporating manufactured housing in the Department’s affordable housing strategies.

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

	Limitation of direct loans	Limitation of guaranteed loans	Administrative contract expenses
Appropriation, fiscal year 2019 .....	\$1,000,000	\$400,000,000,000	\$130,000,000
Budget request, fiscal year 2020 .....	1,000,000	400,000,000,000	150,000,000
Recommended in the bill .....	1,000,000	400,000,000,000	130,000,000
Bill compared to:			
Appropriation, fiscal year 2019 .....	---	---	---
Budget request, fiscal year 2020 .....	---	---	-20,000,000

The Federal Housing Administration (FHA) provides mortgage insurance for the purchase, refinance, and rehabilitation of single-family homes. FHA mortgage insurance is designed to encourage lenders to make credit available to borrowers whom the conventional market perceives as bearing more risk, including first-time homebuyers, minorities, lower-income families, and residents of underserved areas (central cities and rural areas).

COMMITTEE RECOMMENDATION

*Information technology.*—The Committee supports technology upgrades at the FHA and provides additional resources within the Cybersecurity and Information Technology Fund specifically for FHA.

*Loan limits.*—The Committee encourages HUD to use the highest possible median house price to calculate FHA loan limits for Metropolitan Statistical Areas (MSA) that experienced a drop in FHA loan limits of 20 percent or more when the Housing Economic Recovery Act went into effect. To qualify, MSAs must be at least 1,300 square miles or more in land area.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

	Limitation of direct loans	Limitation of guaranteed loans
Appropriation, fiscal year 2019 .....	\$1,000,000	\$30,000,000,000
Budget request, fiscal year 2020 .....	1,000,000	30,000,000,000
Recommended in the bill .....	1,000,000	30,000,000,000
Bill compared to:		
Appropriation, fiscal year 2019 .....	---	---
Budget request, fiscal year 2020 .....	---	---

The Federal Housing Administration’s (FHA) general insurance and special risk insurance (GI and SRI) program account includes 17 different programs administered by FHA. The GI fund includes a wide variety of insurance programs for special-purpose single and multifamily loans, including loans for property improvements, manufactured housing, multifamily rental housing, condominiums, housing for the elderly, hospitals, group practice facilities, and

nursing homes. The SRI fund includes insurance programs for mortgages in older, declining urban areas that would not be otherwise eligible for insurance, mortgages with interest reduction payments, and mortgages for experimental housing and for high-risk mortgagors who would not normally be eligible for mortgage insurance without housing counseling.

COMMITTEE RECOMMENDATION

Not later than 120 days after the enactment of this Act, the FHA shall submit a report to the House and Senate Committees on Appropriations on the feasibility of expanding the section 232 mortgage insurance program to finance facilities that provide drug and alcohol rehabilitation services (especially for opioid addiction treatment) in a residential setting. The report shall include a review of statutory and regulatory permissibility, the estimated cost to the section 232 program, and options for structuring a demonstration program.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE

PROGRAM ACCOUNT

	Limitation of guaran- teed loans	Administrative contract expenses
Appropriation, fiscal year 2019 .....	\$550,000,000,000	\$27,000,000
Budget request, fiscal year 2020 .....	550,000,000,000	28,400,000
Recommended in the bill .....	550,000,000,000	27,000,000
Bill compared to:		
Appropriation, fiscal year 2019 .....	---	---
Budget request, fiscal year 2020 .....	---	- 1,400,000

Government National Mortgage Association (GNMA) guarantees the timely payment of principal and interest on mortgage-backed securities issued by private institutions such as mortgage companies and banks. The only loans in these privately issued securities are mortgages either issued or guaranteed by the Federal Housing Administration, the Department of Veterans Affairs, and U.S. Department of Agriculture.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

Appropriation, fiscal year 2019 .....	\$96,000,000
Budget request, fiscal year 2020 .....	87,000,000
Recommended in the bill .....	98,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+2,000,000
Budget request, fiscal year 2020 .....	+11,000,000

Title V of the Housing and Urban Development Act of 1970, as amended, directs the Secretary of the Department of Housing and Urban Development to undertake programs of research, evaluation, and reports relating to the Department's mission and programs. These functions are carried out internally and through grants and contracts with industry, nonprofit research organizations, educational institutions, and through agreements with State and local governments and other Federal agencies. The research programs

seek ways to improve the efficiency, effectiveness, and equity of HUD programs and to identify methods to achieve cost reductions. This appropriation is used to support HUD evaluation and monitoring activities and to conduct housing surveys. Finally, funds under this heading are used to support technical assistance activities to the various States, communities, and agencies that are charged with administering HUD's programs and funds.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$98,000,000 for this account.

Of the activities proposed in the budget, the Committee recommends up to \$50,000,000 for the core research programs, including market surveys, research support and dissemination, data acquisition, housing finance studies, research partnerships, and housing technology.

The Committee recommends \$17,000,000 for new and continuing studies and demonstration evaluations, including the:

- Housing Discrimination Study 2020, including studying discrimination faced by Low English Proficiency (LEP) individuals,
- Collaboration with Centers for Medicare and Medicaid Services: how Medicare and Medicaid funds can be used to support programs that use affordable senior housing as a platform for coordinating health, wellness, and supportive services and programs to help older adults remain healthy, age in their community, and reduce their use of costly health care services,
  - Moving to Work Expansion,
  - Disaster Recovery Research,
  - Family Options: 10 Year Follow-up,
  - Family Self-Sufficiency Long-term Program Tracking,
  - Competitive Evaluation Grants: Assessing the Impacts of CDBG and HOME eligible activities,
  - Evaluation of Section 202 Construction Activities,
  - Evaluation of Programs in Response to Foreclosure Crisis,
  - Impact of RAD on Children in Assisted Households,
  - Qualitative study of how publicly available data on rental property health and safety violations impact landlord and renter behavior,
  - Housing Search Assistance for People with Disabilities, and
  - A study of alternative methods for calculating Fair Market Rents in rental markets with rapidly rising rents.

The recommendation does not include additional funding for the Envision Center technical assistance funded in fiscal year 2019 and directs the Department to provide a briefing and report to the Committee on the outcomes from fiscal year 2019 funding before seeking additional resources.

Further, the Committee's recommendation includes \$31,000,000 for all technical assistance. Of the funds made available under technical assistance, \$5,000,000 shall be available on a competitive basis to non-profit or private sector organizations to provide technical assistance to distressed cities or regions, including those that were impacted by a natural disaster.

As in prior years, the Committee includes a provision prohibiting funds from being used for a doctoral dissertation research grant

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

*Worst Case Housing Needs.*—The Committee is concerned with the shortage of affordable housing across the country. HUD reports to Congress biennially on the Worst Case Housing Needs (WCN) using American Housing Survey data. The Committee looks forward to receiving HUD’s report on 2017 WCN this year and the 2019 report early in 2021.

*HUD housing data obtained from the U.S. Postal Service.*—The Committee appreciates the importance of sharing anonymized data about the occupancy status and condition of residential and commercial addresses with researchers inside and outside government. The Committee recognizes that this data, collected by the U.S. Postal Service (USPS), could be a powerful tool for understanding the nature of vacancy and blight at the neighborhood level. However, the Committee is concerned that useful granular data on these conditions do not exist. The Committee is providing the Department up to \$500,000 to work with the USPS to design and undertake further research on how these data could be made more useful for research and practitioners to understand neighborhood change. Specifically, the Committee recommends studying ways to improve data consistency, segregate P.O. box data, differentiate no-stat for blight versus no-stat for development, distinguish a vacant single-family home versus a vacant unit in a multi-family building, and preserve the geographic integrity of the data across time.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Appropriation, fiscal year 2019 .....	\$65,300,000
Budget request, fiscal year 2020 .....	62,300,000
Recommended in the bill .....	75,300,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+10,000,000
Budget request, fiscal year 2020 .....	+13,000,000

The Office of Fair Housing and Equal Opportunity (OFHEO) is responsible for implementation and enforcement of the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, Titles II and III of the Americans with Disabilities Act of 1990, the Architectural Barriers Act of 1968, the Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, and Section 3 of the Housing and Urban Development Act of 1968.

OFHEO is responsible for the enforcement, administration, development, and public understanding of Federal fair housing policies and laws. OFHEO manages fair housing grants, investigates discrimination complaints, conducts civil rights compliance reviews, and ensures civil rights protections are included in HUD programs, with the overall goal of preventing housing discrimination.

## COMMITTEE RECOMMENDATION

The Committee provides \$75,300,000 for the Office of Fair Housing and Equal Opportunity. The following table details the funding for various fair housing activities undertaken by the office.

	Request	Recommendation
Fair Housing Assistance Program .....	\$24,300,000	\$27,000,000
Fair Housing Initiative Program .....	36,200,000	46,350,000
Limited English Proficiency Initiative .....	300,000	450,000
National Fair Housing Training Academy .....	1,500,000	1,500,000
Total .....	62,300,000	75,300,000

*Grant award disbursements.*—The Committee is concerned about ongoing delays in administering Fair Housing Initiatives Program grants, which serve to address housing discrimination through testing, enforcement, and educational activities. These delays threaten the integrity and function of the program, which plays an essential role in enforcing the Fair Housing Act. The Act includes a requirement that fiscal year 2020 grants be awarded no later than 120 days after enactment of this Act. Further, the Committee directs that any outstanding fiscal year 2019 grants also be awarded no later than 120 days after enactment of this Act.

*Fair housing enforcement.*—The Committee is concerned about recent policy decisions by the Department that suggest a shift away from enforcing the Fair Housing Act of 1968, or Title VIII of P.L. 90–284. The Committee is particularly concerned that the OFHEO is inadequately staffed to resolve complaints of discrimination and find justice for families who become homeless or destabilized as a result of illegal discrimination. The Committee looks forward to receiving the report requested in the fiscal year 2019 Act detailing the total number of Fair Housing and Equal Opportunity investigations, settlements, closures and dismissals that occurred over the past year, categorized by State.

In addition, the Committee directs the Department to provide a comprehensive report on the disposition of housing discrimination complaints in the Secretary’s annual fair housing report to Congress (42 U.S.C. 3608(e)(2)). This report should provide the following data for HUD and Fair Housing Assistance Program jurisdictions: the total number of complaints filed, pending and resolved in the last fiscal year and an analysis of whether the complaint was based on race, religion, sex, national origin, familial status (families with children under 18), or disability. The report should also include an analysis of the average wait times from when a complaint is filed to when it is resolved, disaggregated by State, county, and protected basis. This report should be completed within 180 days of enactment of this Act and every year thereafter. The Department should refrain from including any information that may be privileged, is otherwise protected from disclosure, or that the Department determines would be detrimental to any investigation, settlement, or case.

*Discrimination against individuals with disabilities.*—Equal access to the rental housing market for individuals with disabilities is crucial to meeting the holdings of *Olmstead v. L.C.*, 527 U.S. 581 (1999), and ensuring that those populations are not forced to remain in nursing homes and other institutional settings. Housing



discrimination complaints based on disability have made up more than half of housing discrimination complaints received by public and private fair housing organizations. The Committee directs the Department to develop educational materials for individuals with disabilities and for housing providers regarding fair housing rights and obligations, including appropriate policies and practices when dealing with individuals with mental illnesses and intellectual or developmental disabilities. These materials should also assist individuals with disabilities who are leaving institutional or segregated settings by informing them of their legal rights, how to recognize discrimination, and what actions to take when faced with discrimination.

*No lobbying with Federal funds.*—Under 18 U.S.C. 1913, Federal funds can not be used for the purposes of lobbying. Bill language restating this prohibition was removed as it was redundant of current law.

*Spending plan.*—The Committee directs the Department to provide a spending plan for all funds and activities in this account concurrent with the fiscal year 2020 operating plan.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

Appropriation, fiscal year 2019 .....	\$279,000,000
Budget request, fiscal year 2020 .....	290,000,000
Recommended in the bill .....	290,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+11,000,000
Budget request, fiscal year 2020 .....	---

The Office of Healthy Homes and Lead Hazard Control (OHHLHC) is responsible for the administration of the Lead-Based Paint Hazard Reduction program authorized by Title X of the Housing and Community Development Act of 1992. Through the Healthy Homes Initiative, the Office also addresses multiple housing-related hazards affecting the health of residents, particularly children. OHHLHC develops lead-based paint regulations, guidelines, and policies applicable to HUD programs, and enforces the Lead Disclosure Rule issued under Title X. For both lead-related and healthy homes issues, OHHLHC designs and administers programs for grants, training, research, demonstration, and education.

COMMITTEE RECOMMENDATION

The Committee recommends \$290,000,000 for the Office of Lead Hazard Control and Healthy Homes. Of this amount, \$56,000,000 is directed to the Healthy Homes Initiative.

*Coordination with weatherization activities.*—Of the funds provided for the Healthy Homes Initiative, the Committee directs that \$5,000,000 be used to establish pilot projects in up to five communities that are served by both Healthy Homes and Department of Energy weatherization programs. Grantees will coordinate Healthy Homes remediation activities with weatherization activities and evaluate whether better outcomes are achieved in improving the safety and quality of the homes.

*Lead in drinking water.*—The Committee encourages the Secretary to evaluate high priority sources of lead contamination in

HUD-assisted housing and to work in coordination with the Environmental Protection Agency (EPA) to mitigate sources of lead exposure as a result of water from the public water supply and ambient air levels or industrial emissions. The Committee directs the Secretary to establish a pilot program to test for lead water levels, identify lead service lines and other sources of lead in drinking water serving housing units. The Committee also directs the Secretary to encourage EPA to have public water systems remediate such threats and optimize corrosion control treatment in public water systems serving such housing units.

*Lead hazard control.*—The Committee notes the value of the OHHLHC in the effort to eliminate childhood lead poisoning. Lead risk assessments are essential in halting exposure to lead-based paint. The Committee requests that HUD evaluate the implementation of the Lead Safe Housing Rule in multifamily housing in which a child under the age of six is found with an elevated blood lead level. HUD should also evaluate the implementation of the requirement to conduct a risk assessment for lead-based paint hazards in other units in a multifamily development.

*Period of availability.*—Per the Department’s budget request, the Act changes the period of grant availability from two to three years.

*Spending plan.*—The Committee directs the Department to provide a spending plan for all funds and activities in this account concurrent with the fiscal year 2020 operating plan.

CYBERSECURITY AND INFORMATION TECHNOLOGY FUND

Appropriation, fiscal year 2019 .....	\$280,000,000
Budget request, fiscal year 2020 .....	280,000,000
Recommended in the bill .....	300,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+20,000,000
Budget request, fiscal year 2020 .....	+20,000,000

The Cybersecurity and Information Technology (CIT) Fund finances the information technology (IT) systems that support departmental programs and operations, including mortgage insurance, housing assistance and grant programs, as well as core financial and general operations. More importantly, the CIT prevents breaches into HUD’s information technology systems, which contain personal identifiable information, sensitive financial data, and data exchanges with financial institutions.

COMMITTEE RECOMMENDATION

The Committee continues to support HUD’s efforts to retire obsolete, inefficient, and expensive IT and provides \$20,000,000 specifically for Federal Housing Administration (FHA) IT for the purposes of improving operations, data security and financial risk assessment, and program performance, and eliminating fraud. FHA’s reliance on legacy systems has resulted in outages, sometimes lasting for days, disrupting the home purchasing process.

OFFICE OF INSPECTOR GENERAL  
SALARIES AND EXPENSES

Appropriation, fiscal year 2019 .....	\$128,082,000
Budget request, fiscal year 2020 .....	129,400,000
Recommended in the bill .....	132,489,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+4,407,000
Budget request, fiscal year 2020 .....	+3,089,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$132,489,000 for the Office of Inspector General.

The Committee recognizes the importance of the OIG’s role in safeguarding against waste and fraud and upholding HUD as a principled and financially sound agency. The congressionally mandated and self-initiated reports and investigations undertaken by the OIG continue to be extremely helpful to the Committee.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION)

Section 201 splits overpayments evenly between Treasury and State Housing Finance Agencies.

Section 202 prohibits funds from being used to investigate or prosecute lawful activities under the Fair Housing Act.

Section 203 requires any grant or cooperative agreement to be made on a competitive basis, unless otherwise provided, in accordance with Section 102 of the Department of Housing and Urban Development Reform Act of 1989.

Section 204 relates to the availability of funds for services and facilities for GSEs and others subject to the Government Corporation Control Act and the Housing Act of 1950.

Section 205 prohibits the use of funds in excess of the budget estimates, unless provided otherwise.

Section 206 relates to the expenditure of funds for corporations and agencies subject to the Government Corporation Control Act.

Section 207 requires the Secretary to provide quarterly reports on uncommitted, unobligated, recaptured, and excess funds in each departmental program and activity.

Section 208 requires the Administration's budget and HUD's budget justifications for fiscal year 2021 to be submitted in the identical account and sub-account structure provided in this Act.

Section 209 exempts GNMA from certain requirements of the Federal Credit Reform Act of 1990.

Section 210 authorizes HUD to transfer debt and use agreements from an obsolete project to a viable project, provided that no additional costs are incurred and other conditions are met.

Section 211 sets forth requirements for Section 8 voucher assistance eligibility, and includes consideration for persons with disabilities.

Section 212 distributes Native American Housing Block Grants to the same Native Alaskan recipients as in fiscal year 2005.

Section 213 instructs HUD on managing and disposing of any multifamily property that is owned or held by HUD.

Section 214 allows PHAs that own and operate 400 or fewer units of public housing to be exempt from asset management requirements.

Section 215 restricts the Secretary from imposing any requirements or guidelines relating to asset management that restrict or limit the use of capital funds for central office costs, up to the limits established in law.

Section 216 requires that no employee of the Department shall be designated as an allotment holder unless the CFO determines that such employee has received certain training.

Section 217 requires the Secretary to publish all notices of funding availability that are competitively awarded on the internet for fiscal year 2020.

Section 218 requires attorney fees for programmatic litigation to be paid from the individual program office and Office of General Counsel salaries and expenses appropriations, and requires the Department to submit a spend plan to the House and Senate Committees on Appropriations.

Section 219 allows the Secretary to transfer up to 10 percent of funds or \$5,000,000, whichever is less, appropriated under the headings "Administrative Support Offices" or "Program Office Salaries and Expenses" to any other office funded under such headings.

Section 220 requires HUD to take certain actions against owners receiving rental subsidies that do not maintain safe properties.

Section 221 places a salary and bonus limit on public housing agency officials and employees.

Section 222 requires the Secretary to notify the House and Senate Committees on Appropriations at least three full business days before grant awards are announced.

Section 223 prohibits funds to be used to require or enforce the Physical Needs Assessment.

Section 224 prohibits funds for HUD financing of mortgages for properties that have been subject to eminent domain.

Section 225 prohibits the use of funds to terminate the status of a unit of general local government as a metropolitan city with respect to grants under section 106 of the Housing and Community Development Act of 1974.

Section 226 allows funding for research, evaluation, and statistical purposes that is unexpended at the time of completion of the

contract, grant, or cooperative agreement to be reobligated for additional research.

Section 227 authorizes the Secretary on a limited basis to use funds available under the “Homeless Assistance Grants” heading to participate in the multiagency Performance Partnership Pilots program for fiscal year 2020.

Section 228 allows program income as an eligible match for 2015, 2016, 2017, 2018, 2019, and 2020 continuum of care funds.

Section 229 permits HUD to provide one year transition grants under the continuum of care program with no more than 50 percent of the grant provided for costs of eligible activities of the program component originally funded.

Section 230 prohibits the use of funds to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled, “Affirmatively Furthering Fair Housing” or the notice entitled, “Affirmatively Furthering Fair Housing Assessment Tool”.

Section 231 establishes the HUD HAG Fund.

Section 232 maintains current Promise Zone designations and agreements.

Section 233 prohibits funds from being used to establish review criteria, including rating factors or preference points, for competitive grants programs for EnVision Center participation or coordination.

Section 234 prohibits funds in this or any other Act from being used to implement, administer, enforce, or in any way make effective the proposed rule entitled “Housing and Community Development Act of 1980: Verification of Eligible Status”, issued by the Department on May 10, 2019 (Docket No. FR-6124-P-01), or any final rule based substantially on such proposed rule.

Section 235 requires the Department to make data for broadband and resiliency requirements to be incorporated into Consolidated Plans available to grantees not later than 90 days after enactment of this Act and requires grantees to incorporate broadband and resiliency components into their Consolidated Plans not later than 270 days after enactment of this Act.

Section 236 prohibits funds in this or any other Act from being used to repeal or revise the “Equal Access in Accordance With an Individual’s Gender Identity in Community Planning and Development Programs” rule.

Section 237 codifies the sub-regulatory guidance issued by the Department of Housing and Urban Development on February 20, 2015, entitled “Appropriate Placement for Transgender Persons in Single-Sex Emergency Shelters and Other Facilities.”

Section 238 prohibits the Secretary, in this fiscal year or any fiscal year thereafter, to implement, require, enforce, or otherwise make effective any change, amendment, or alteration to any term or condition of the Annual Contributions Contract between the Secretary and any public housing agency, as such contract was in effect as of January 1, 2018, unless such change, amendment, or alteration is made pursuant to a rule issued after notice and an opportunity for public comment and in accordance with the procedure under section 553 of title 5, United States Code.

TITLE III—RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2019 .....	\$8,400,000
Budget request, fiscal year 2020 .....	8,400,000
Recommended in the bill .....	8,400,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

The United States Access Board (Access Board) was established by section 502 of the Rehabilitation Act of 1973 with the mission of promoting equality for people with disabilities through accessible design and the development of accessibility guidelines and standards for the built environment, transportation, communication, medical diagnostic equipment, and information technology.

The Access Board is responsible for developing guidelines under the Americans with Disabilities Act, the Architectural Barriers Act, and the Communications Act, as well as for developing standards under the Rehabilitation Act for accessible electronic and information technology used by Federal agencies. The Access Board enforces the Architectural Barriers Act and provides training and technical assistance on its guidelines and standards. The Access Board serves on the Election Assistance Commission's Board of Advisors and Technical Guidelines Development Committee to assist in developing voluntary guidelines for voting systems, including accessibility for people with disabilities. Additionally, the Access Board maintains a small research program that develops technical assistance materials and provides information needed for rule-making.

COMMITTEE RECOMMENDATION

The Committee recommends \$8,400,000 for the operations of the Access Board.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2019 .....	\$27,490,000
Budget request, fiscal year 2020 .....	28,000,000
Recommended in the bill .....	28,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+510,000
Budget request, fiscal year 2020 .....	---

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

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

COMMITTEE RECOMMENDATION

The Committee recommends \$28,000,000 for the Federal Maritime Commission. Of the funds provided, up to \$487,159 is available for the Office of Inspector General.

NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation, fiscal year 2019 .....	\$23,274,000
Budget request, fiscal year 2020 .....	23,274,000
Recommended in the bill .....	23,274,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

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

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$23,274,000 for the Amtrak OIG. The recommended level will allow the Amtrak OIG to undertake audits, evaluations, and investigations and will ensure effective oversight of Amtrak’s programs and operations.

The Amtrak OIG’s efforts have resulted in valuable studies and recommendations for this Committee and for Amtrak that have yielded cost savings and management improvements. The Committee retains language that requires the Amtrak OIG to submit a budget request for fiscal year 2021 in similar format and substance to those submitted by other executive agencies in the Federal government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2019 .....	\$110,400,000
Budget request, fiscal year 2020 .....	110,400,000
Recommended in the bill .....	110,400,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

The National Transportation Safety Board (NTSB) is an independent Federal agency charged by Congress with investigating every civil aviation accident in the United States. The NTSB also investigates significant accidents in other modes of transportation, including railroad, highway, marine, and pipeline transportation, and issues safety recommendations aimed at preventing future accidents.

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

COMMITTEE RECOMMENDATION

The Committee recommends \$110,400,000 for the salaries and expenses of the NTSB.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriation, fiscal year 2019 .....	\$152,000,000
Budget request, fiscal year 2020 .....	27,400,000
Recommended in the bill .....	170,000,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+18,000,000
Budget request, fiscal year 2020 .....	+142,600,000

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$170,000,000 for fiscal year 2020.

*Aging in place.*—Due to the rising costs of long-term care and societal changes, the Committee supports aging in place programs that modify and improve older homes so that seniors may safely live in those homes for a longer period as they age. The Committee encourages the Neighborhood Reinvestment Corporation to continue to support training, counseling, and programs that assist seniors in sustainable aging in place and to identify the conflux of older housing stock, older-population States, and, in particular, older-population regions of those States and to invest robustly in those regions with aging in place housing programs.



SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2019 .....	\$37,100,000
Budget request, fiscal year 2020 .....	37,100,000
Recommended in the bill .....	37,100,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	---
Budget request, fiscal year 2020 .....	---

The Surface Transportation Board (STB) was created in the Interstate Commerce Commission Termination Act of 1995 and is the successor agency to the Interstate Commerce Commission. The STB is an economic regulatory and adjudicatory body charged by Congress with resolving railroad rate and service disputes and reviewing proposed railroad mergers, and the regulation of other surface transportation carriers, including the intercity bus industry and surface pipeline carriers, and household-good carriers. The Surface Transportation Board Reauthorization Act of 2015 (P.L. 114–110) established the STB as a wholly independent agency and expanded the STB’s membership from three to five Board Members.

COMMITTEE RECOMMENDATION

The Committee recommendation provides an appropriation of \$37,100,000. The STB is estimated to collect \$1,250,000 in fees, which will offset the appropriation for a total program cost of \$35,850,000.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

Appropriation, fiscal year 2019 .....	\$3,600,000
Budget request, fiscal year 2020 .....	730,000
Recommended in the bill .....	4,100,000
Bill compared with:	
Appropriation, fiscal year 2019 .....	+500,000
Budget request, fiscal year 2020 .....	+3,370,000

The mission of the United States Interagency Council on Homelessness (USICH) is to coordinate multi-agency Federal response to homelessness.

COMMITTEE RECOMMENDATION

The Committee recommends \$4,100,000 for continued operations of the USICH, available until September 30, 2021. Additional funding is provided to deepen interagency responses to youth and unsheltered homelessness.

*Trauma-informed care.*— The Committee recognizes the value of trauma-informed care and housing services and supports expanding the availability of these services to families, families with children, and individuals that are currently homeless, or on the verge of being homeless. The Committee notes the fiscal year 2019 Omnibus Appropriations Act requires the submission of a report on trauma-informed care within 180 days of enactment of that Act.

## TITLE IV

## GENERAL PROVISIONS—THIS ACT

Section 401 prohibits the use of funds for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings.

Section 402 prohibits the obligation of funds beyond the current fiscal year and the transfer of funds to other appropriations, unless expressly provided.

Section 403 limits consulting service expenditures through procurement contracts to those contracts contained in the public record, except where otherwise provided under existing law.

Section 404 prohibits funds from being used for certain types of employee training.

Section 405 specifies requirements for the reprogramming of funds and requires agencies to submit a report in order to establish the baseline for the application of reprogramming and transfer authorities.

Section 406 provides that not to exceed fifty percent of unobligated balances for salaries and expenses may remain available until September 30, 2021, for each account for the purposes authorized, subject to the approval of the House and Senate Committees on Appropriations.

Section 407 prohibits the use of funds for any project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use.

Section 408 prohibits funds from being transferred to any department, agency, or instrumentality of the U.S. Government, except where transfer authority is provided in this or any other appropriations Act.

Section 409 prohibits funds from being used to permanently replace an employee intent on returning to his or her past occupation following completion of military service.

Section 410 prohibits funds from being used by an entity unless the expenditure is in compliance with the Buy American Act.

Section 411 prohibits funds from being made available to any person or entity that has been convicted of violating the Buy American Act.

Section 412 prohibits funds from being used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41 CFR.

Section 413 prohibits funds from being used for the approval of a new foreign air carrier permit or exemption application if that approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

Section 414 restricts the number of employees that agencies may send to international conferences unless such attendance is important to the national interest.

Section 415 caps the amount of fees the Surface Transportation Board can charge or collect for rate or practice complaints filed at the amount authorized for district court civil suit filing fees.

Section 416 prohibits the use of funds to purchase or lease new light-duty vehicles for any executive fleet or fleet inventory, except

in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

Section 417 prohibits funds from being used to maintain or establish computer networks unless such networks block the viewing, downloading, or exchange of pornography.

Section 418 prohibits funds from being used to deny an Inspector General timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities, or to prevent or impede that Inspector General's access to such records, documents, or other materials.

Section 419 prohibits funds to be used to pay award or incentive fees for contractors whose performance is below satisfactory, behind schedule, over budget, or failed to meet requirements of the contract, with exceptions.

HOUSE OF REPRESENTATIVES REPORTING REQUIREMENTS

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

RESCISSION OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table lists the rescissions in the accompanying bill:

- Such sums that are available from the Department of Housing and Urban Development—Housing Certificate Fund;
- Section 201 rescinds 50% of funds that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendment of 1998;
- Section 231 rescinds 90% of certain unobligated balances from the Department of Housing and Urban Development—Community Planning and Development—Homeless Assistance Grant Account.

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the transfer of funds provided in the accompanying bill.

UNDER TITLE I—DEPARTMENT OF TRANSPORTATION

Account from which the transfer is made	Account to which the transfer is made	Amount
Office of the Secretary .....	Office of the Secretary .....	≤7% of certain funds subject to conditions
Federal Aviation Administration, Operations.	Federal Aviation Administration, Operations.	≤5% of certain funds subject to conditions
FHWA: Limitation on administrative expenses.	Appalachian Regional Commission .....	\$3,248,000

UNDER TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Account from which the transfer is made	Account to which the transfer is made	Amount
Executive Offices, Administrative Support Offices, Program Office Salaries and Expenses, Government National Mortgage Association.	Working Capital Fund .....	Such sums as necessary
Administrative Support Offices .....	Program Office Salaries and Expenses	≤10% subject to conditions
Program Office Salaries and Expenses ..	Administrative Support Offices .....	≤10% subject to conditions
Homeless Assistance Grants .....	HUD HAG Fund .....	Such sums as necessary
HUD HAG Fund .....	Homeless Assistance Grants .....	Such sums as necessary

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Neither the bill nor the report contains any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

COMPLIANCE WITH RULE XIII, CL. 3(E) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**NATIONAL HIGHWAY SYSTEM DESIGNATION ACT OF 1995**

\* \* \* \* \*

**TITLE III—MISCELLANEOUS HIGHWAY PROVISIONS**

\* \* \* \* \*

**[SEC. 352. COLLECTION OF BRIDGE TOLLS.**

[Notwithstanding any other provision of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall continue to be collected for only those vehicles exiting from such bridge in Staten Island.]

\* \* \* \* \*

**SECTION 324 OF THE DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1986**

[SEC. 324. (a) GENERAL RULE.—Tolls collected for motor vehicles on any bridge connecting the borough of Brooklyn, New York, and Staten Island, New York, shall only be collected for those vehicles exiting from such bridge in Staten Island.

[(b) ENFORCEMENT.—The Secretary shall withhold 1 percent of the amount required to be apportioned to the State of New York

under sections 104 and 144 of title 23, United States Code, on the first day of the fiscal year succeeding any fiscal year in which tolls collected for motor vehicles on the bridge referred to in subsection (a) are collected for those vehicles exiting from such bridge in the borough of Brooklyn.

[(c) PERIOD OF APPLICABILITY.—This section shall apply on and after the 90th day following the date of enactment of this section, except that this section shall not apply after the date on which the Secretary publishes in the Federal Register a determination under subsection (d).

[(d) REMOVAL OF LIMITATION.—

[(1) DETERMINATION OF SECRETARY.—Subsections (a) and (b) shall cease to be in effect if, upon petition by the Governor of New York under paragraph (2), the Secretary determines that—

[(A) a substantial loss of revenues has resulted from the limitation imposed by subsection (a), or

[(B) such limitation has resulted in significant traffic problems,

and the Secretary publishes such determination in the Federal Register.

[(2) PETITION.—The Governor of New York may petition the Secretary for a determination under paragraph (1) at any time after a period of six consecutive months in which tolls collected for motor vehicles on the bridge referred to in subsection (a) have been collected only for those vehicles exiting from such bridge in Staten Island. ]

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**SECTION 1948 OF SAFETEA-LU**

**[SEC. 1948. EMERGENCY SERVICE ROUTE.**

[Notwithstanding any Federal law, regulation, or policy to the contrary, no Federal funds shall be obligated or expended for the demolition of the existing Brightman Street Bridge connecting Fall River and Somerset, Massachusetts, and the existing Brightman Street Bridge shall be maintained for pedestrian and bicycle access, and as an emergency service route.]

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**SECTION 325 OF THE DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996**

[SEC. 325. Notwithstanding any other provisions of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall continue to be collected for only those vehicles exiting from such bridge in Staten Island.]

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**TITLE 23, UNITED STATES CODE**

\* \* \* \* \*

**CHAPTER 1—FEDERAL-AID HIGHWAYS**

\* \* \* \* \*

**§ 119. National highway performance program**

(a) ESTABLISHMENT.—The Secretary shall establish and implement a national highway performance program under this section.

(b) PURPOSES.—The purposes of the national highway performance program shall be—

(1) to provide support for the condition and performance of the National Highway System;

(2) to provide support for the construction of new facilities on the National Highway System; and

(3) to ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in an asset management plan of a State for the National Highway System.

(c) ELIGIBLE FACILITIES.—Except as provided in subsection (d), to be eligible for funding apportioned under section 104(b)(1) to carry out this section, a facility shall be located on the National Highway System, as defined in section 103.

(d) ELIGIBLE PROJECTS.—Funds apportioned to a State to carry out the national highway performance program may be obligated only for a project on an eligible facility that is—

(1)(A) a project or part of a program of projects supporting progress toward the achievement of national performance goals for improving infrastructure condition, safety, congestion reduction, system reliability, or freight movement on the National Highway System; and

(B) consistent with sections 134 and 135; and

(2) for 1 or more of the following purposes:

(A) Construction, reconstruction, resurfacing, restoration, rehabilitation, preservation, or operational improvement of segments of the National Highway System.

(B) Construction, replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) of bridges on the National Highway System.

(C) Construction, replacement (including replacement with fill material), rehabilitation, preservation, and protection (including impact protection measures, security countermeasures, and protection against extreme events) of tunnels on the National Highway System.

(D) Inspection and evaluation, as described in section 144, of bridges and tunnels on the National Highway System, and inspection and evaluation of other highway infrastructure assets on the National Highway System, including signs and sign structures, earth retaining walls, and drainage structures.

(E) Training of bridge and tunnel inspectors, as described in section 144.

(F) Construction, rehabilitation, or replacement of existing ferry boats and ferry boat facilities, including approaches, that connect road segments of the National Highway System.

(G) Construction, reconstruction, resurfacing, restoration, rehabilitation, and preservation of, and operational

improvements for, a Federal-aid highway not on the National Highway System, and construction of a transit project eligible for assistance under chapter 53 of title 49, if—

(i) the highway project or transit project is in the same corridor as, and in proximity to, a fully access-controlled highway designated as a part of the National Highway System;

(ii) the construction or improvements will reduce delays or produce travel time savings on the fully access-controlled highway described in clause (i) and improve regional traffic flow; and

(iii) the construction or improvements are more cost-effective, as determined by benefit-cost analysis, than an improvement to the fully access-controlled highway described in clause (i).

(H) Bicycle transportation and pedestrian walkways in accordance with section 217.

(I) Highway safety improvements for segments of the National Highway System.

(J) Capital and operating costs for traffic and traveler information monitoring, management, and control facilities and programs.

(K) Development and implementation of a State asset management plan for the National Highway System in accordance with this section, including data collection, maintenance, and integration and the cost associated with obtaining, updating, and licensing software and equipment required for risk-based asset management and performance-based management.

(L) Infrastructure-based intelligent transportation systems capital improvements, including the installation of vehicle-to-infrastructure communication equipment.

(M) Environmental restoration and pollution abatement in accordance with section 328.

(N) Control of noxious weeds and aquatic noxious weeds and establishment of native species in accordance with section 329.

(O) Environmental mitigation efforts related to projects funded under this section, as described in subsection (g).

(P) Construction of publicly owned intracity or intercity bus terminals servicing the National Highway System.

(e) STATE PERFORMANCE MANAGEMENT.—

(1) IN GENERAL.—A State shall develop a risk-based asset management plan for the National Highway System to improve or preserve the condition of the assets and the performance of the system.

(2) PERFORMANCE DRIVEN PLAN.—A State asset management plan shall include strategies leading to a program of projects that would make progress toward achievement of the State targets for asset condition and performance of the National Highway System in accordance with section 150(d) and supporting the progress toward the achievement of the national goals identified in section 150(b).

(3) SCOPE.—In developing a risk-based asset management plan, the Secretary shall encourage States to include all infrastructure assets within the right-of-way corridor in such plan.

(4) PLAN CONTENTS.—A State asset management plan shall, at a minimum, be in a form that the Secretary determines to be appropriate and include—

- (A) a summary listing of the pavement and bridge assets on the National Highway System in the State, including a description of the condition of those assets;
- (B) asset management objectives and measures;
- (C) performance gap identification;
- (D) lifecycle cost and risk management analysis;
- (E) a financial plan; and
- (F) investment strategies.

[(5) REQUIREMENT FOR PLAN.—Notwithstanding section 120, with respect to the second fiscal year beginning after the date of establishment of the process established in paragraph (8) or any subsequent fiscal year, if the Secretary determines that a State has not developed and implemented a State asset management plan consistent with this section, the Federal share payable on account of any project or activity carried out by the State in that fiscal year under this section shall be 65 per cent.]

(5) REQUIREMENT FOR PLAN.—

(A) *IN GENERAL.*—*Notwithstanding section 120, beginning on October 1, 2019, and each fiscal year thereafter, if the Secretary determines that a State has not developed and implemented a State asset management plan consistent with this section, the Federal share payable on account of any project or activity for which funds are obligated by the State in that fiscal year under this section shall be 65 per cent.*

(B) *DETERMINATION.*—*The Secretary shall make the determination under subparagraph (A) not later than the day before the beginning of each fiscal year.*

(6) CERTIFICATION OF PLAN DEVELOPMENT PROCESS.—

(A) *IN GENERAL.*—Not later than 90 days after the date on which a State submits a request for approval of the process used by the State to develop the State asset management plan for the National Highway System, the Secretary shall—

- (i) review the process; and
- (ii)(I) certify that the process meets the requirements established by the Secretary; or
- (II) deny certification and specify actions necessary for the State to take to correct deficiencies in the State process.

(B) *RECERTIFICATION.*—Not less frequently than once every 4 years, the Secretary shall review and recertify that the process used by a State to develop and maintain the State asset management plan for the National Highway System meets the requirements for the process, as established by the Secretary.



(C) OPPORTUNITY TO CURE.—If the Secretary denies certification under subparagraph (A), the Secretary shall provide the State with—

(i) not less than 90 days to cure the deficiencies of the plan, during which time period all penalties and other legal impacts of a denial of certification shall be stayed; and

(ii) a written statement of the specific actions the Secretary determines to be necessary for the State to cure the plan.

(7) PERFORMANCE ACHIEVEMENT.—A State that does not achieve or make significant progress toward achieving the targets of the State for performance measures described in section 150(d) for the National Highway System shall include as part of the performance target report under section 150(e) a description of the actions the State will undertake to achieve the targets.

(8) PROCESS.—Not later than 18 months after the date of enactment of the MAP–21, the Secretary shall, by regulation and in consultation with State departments of transportation, establish the process to develop the State asset management plan described in paragraph (1).

(f) INTERSTATE SYSTEM AND NHS BRIDGE CONDITIONS.—

(1) CONDITION OF INTERSTATE SYSTEM.—

(A) PENALTY.—If a State reports that the condition of the Interstate System, excluding bridges on the Interstate System, has fallen below the minimum condition level established by the Secretary under section 150(c)(3), the State shall be required, during the following fiscal year—

(i) to obligate, from the amounts apportioned to the State under section 104(b)(1), an amount that is not less than the amount of funds apportioned to the State for fiscal year 2009 under the Interstate maintenance program for the purposes described in this section (as in effect on the day before the date of enactment of the MAP–21), except that for each year after fiscal year 2013, the amount required to be obligated under this clause shall be increased by 2 percent over the amount required to be obligated in the previous fiscal year; and

(ii) to transfer, from the amounts apportioned to the State under section 104(b)(2) (other than amounts sub-allocated to metropolitan areas and other areas of the State under section 133(d)) to the apportionment of the State under section 104(b)(1), an amount equal to 10 percent of the amount of funds apportioned to the State for fiscal year 2009 under the Interstate maintenance program for the purposes described in this section (as in effect on the day before the date of enactment of the MAP–21).

(B) RESTORATION.—The obligation requirement for the Interstate System in a State required by subparagraph (A) for a fiscal year shall remain in effect for each subsequent fiscal year until such time as the condition of the Inter-

state System in the State exceeds the minimum condition level established by the Secretary.

(2) CONDITION OF NHS BRIDGES.—

(A) PENALTY.—If the Secretary determines that, for the 3-year-period preceding the date of the determination, more than 10 percent of the total deck area of bridges in the State on the National Highway System is located on bridges that have been classified as structurally deficient, an amount equal to 50 percent of funds apportioned to such State for fiscal year 2009 to carry out section 144 (as in effect the day before enactment of MAP-21) shall be set aside from amounts apportioned to a State for a fiscal year under section 104(b)(1) only for eligible projects on bridges on the National Highway System.

(B) RESTORATION.—The set-aside requirement for bridges on the National Highway System in a State under subparagraph (A) for a fiscal year shall remain in effect for each subsequent fiscal year until such time as less than 10 percent of the total deck area of bridges in the State on the National Highway System is located on bridges that have been classified as structurally deficient, as determined by the Secretary.

(g) ENVIRONMENTAL MITIGATION.—

(1) ELIGIBLE ACTIVITIES.—In accordance with all applicable Federal law (including regulations), environmental mitigation efforts referred to in subsection (d)(2)(O) include participation in natural habitat and wetlands mitigation efforts relating to projects funded under this title, which may include—

(A) participation in mitigation banking or other third-party mitigation arrangements, such as—

(i) the purchase of credits from commercial mitigation banks;

(ii) the establishment and management of agency-sponsored mitigation banks; and

(iii) the purchase of credits or establishment of in-lieu fee mitigation programs;

(B) contributions to statewide and regional efforts to conserve, restore, enhance, and create natural habitats and wetlands; and

(C) the development of statewide and regional environmental protection plans, including natural habitat and wetland conservation and restoration plans.

(2) INCLUSION OF OTHER ACTIVITIES.—The banks, efforts, and plans described in paragraph (1) include any such banks, efforts, and plans developed in accordance with applicable law (including regulations).

(3) TERMS AND CONDITIONS.—The following terms and conditions apply to natural habitat and wetlands mitigation efforts under this subsection:

(A) Contributions to the mitigation effort may—

(i) take place concurrent with, or in advance of, commitment of funding under this title to a project or projects; and

(ii) occur in advance of project construction only if the efforts are consistent with all applicable require-

ments of Federal law (including regulations) and State transportation planning processes.

(B) Credits from any agency-sponsored mitigation bank that are attributable to funding under this section may be used only for projects funded under this title, unless the agency pays to the Secretary an amount equal to the Federal funds attributable to the mitigation bank credits the agency uses for purposes other than mitigation of a project funded under this title.

(4) PREFERENCE.—At the discretion of the project sponsor, preference shall be given, to the maximum extent practicable, to mitigating an environmental impact through the use of a mitigation bank, in-lieu fee, or other third-party mitigation arrangement, if the use of credits from the mitigation bank or in-lieu fee, or the other third-party mitigation arrangement for the project, is approved by the applicable Federal agency.

(h) TIFIA PROGRAM.—Upon Secretarial approval of credit assistance under chapter 6, the Secretary, at the request of a State, may allow the State to use funds apportioned under section 104(b)(1) to pay subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.

(i) ADDITIONAL FUNDING ELIGIBILITY FOR CERTAIN BRIDGES.—

(1) IN GENERAL.—Funds apportioned to a State to carry out the national highway performance program may be obligated for a project for the reconstruction, resurfacing, restoration, rehabilitation, or preservation of a bridge not on the National Highway System, if the bridge is on a Federal-aid highway.

(2) LIMITATION.—A State required to make obligations under subsection (f) shall ensure such requirements are satisfied in order to use the flexibility under paragraph (1).

(j) CRITICAL INFRASTRUCTURE.—

(1) CRITICAL INFRASTRUCTURE DEFINED.—In this subsection, the term “critical infrastructure” means those facilities the incapacity or failure of which would have a debilitating impact on national or regional economic security, national or regional energy security, national or regional public health or safety, or any combination of those matters.

(2) CONSIDERATION.—The asset management plan of a State may include consideration of critical infrastructure from among those facilities in the State that are eligible under subsection (c).

(3) RISK REDUCTION.—A State may use funds apportioned under this section for projects intended to reduce the risk of failure of critical infrastructure in the State.

\* \* \* \* \*

**§ 125. Emergency relief**

(a) IN GENERAL.—Subject to this section and section 120, an emergency fund is authorized for expenditure by the Secretary for the repair or reconstruction of highways, roads, and trails, in any area of the United States, including Indian reservations, that the Secretary finds have suffered serious damage as a result of—

- (1) a natural disaster over a wide area, such as by a flood, hurricane, tidal wave, earthquake, severe storm, or landslide; or
- (2) catastrophic failure from any external cause.
- (b) RESTRICTION ON ELIGIBILITY.—
- (1) DEFINITION OF CONSTRUCTION PHASE.—In this subsection, the term “construction phase” means the phase of physical construction of a highway or bridge facility that is separate from any other identified phases, such as planning, design, or right-of-way phases, in the State transportation improvement program.
- (2) RESTRICTION.—In no case shall funds be used under this section for the repair or reconstruction of a bridge—
- (A) that has been permanently closed to all vehicular traffic by the State or responsible local official because of imminent danger of collapse due to a structural deficiency or physical deterioration; or
- (B) if a construction phase of a replacement structure is included in the approved Statewide transportation improvement program at the time of an event described in subsection (a).
- (c) FUNDING.—
- (1) IN GENERAL.—Subject to the limitations described in paragraph (2), there are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) such sums as are necessary to establish the fund authorized by this section and to replenish that fund on an annual basis.
- (2) LIMITATIONS.—The limitations referred to in paragraph (1) are that—
- (A) not more than \$100,000,000 is authorized to be obligated in any 1 fiscal year commencing after September 30, 1980, to carry out this section, except that, if for any fiscal year the total of all obligations under this section is less than the amount authorized to be obligated for the fiscal year, the unobligated balance of that amount shall—
- (i) remain available until expended; and
- (ii) be in addition to amounts otherwise available to carry out this section for each year; and
- (B)(i) pending such appropriation or replenishment, the Secretary may obligate from any funds appropriated at any time for obligation in accordance with this title, including existing Federal-aid appropriations, such sums as are necessary for the immediate prosecution of the work herein authorized; and
- (ii) funds obligated under this subparagraph shall be reimbursed from the appropriation or replenishment.
- (d) ELIGIBILITY.—
- (1) IN GENERAL.—The Secretary may expend funds from the emergency fund authorized by this section only for the repair or reconstruction of highways on Federal-aid highways in accordance with this chapter, except that—
- (A) no funds shall be so expended unless an emergency has been declared by the Governor of the State with concurrence by the Secretary, unless the President has de-

clared the emergency to be a major disaster for the purposes of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for which concurrence of the Secretary is not required; and

(B) the Secretary has received an application from the State transportation department that includes a comprehensive list of all eligible project sites and repair costs by not later than 2 years after the natural disaster or catastrophic failure.

(2) COST LIMITATION.—

(A) DEFINITION OF COMPARABLE FACILITY.—In this paragraph, the term “comparable facility” means a facility that meets the current geometric and construction standards required for the types and volume of traffic that the facility will carry over its design life.

(B) LIMITATION.—The total cost of a project funded under this section may not exceed the cost of repair or reconstruction of a comparable facility.

(3) DEBRIS REMOVAL.—The costs of debris removal shall be an eligible expense under this section only for—

(A) an event not declared a major disaster or emergency by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) an event declared a major disaster or emergency by the President under that Act if the debris removal is not eligible for assistance under section 403, 407, or 502 of that Act (42 U.S.C. 5170b, 5173, 5192); or

(C) projects eligible for assistance under this section located on tribal transportation facilities, Federal lands transportation facilities, or other federally owned roads that are open to public travel (as defined in subsection (e)(1)).

[(4) TERRITORIES.—The total obligations for projects under this section for any fiscal year in the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall not exceed \$20,000,000.]

(5) SUBSTITUTE TRAFFIC.—Notwithstanding any other provision of this section, actual and necessary costs of maintenance and operation of ferryboats or additional transit service providing temporary substitute highway traffic service, less the amount of fares charged for comparable service, may be expended from the emergency fund authorized by this section for Federal-aid highways.

(e) TRIBAL TRANSPORTATION FACILITIES, FEDERAL LANDS TRANSPORTATION FACILITIES, AND PUBLIC ROADS ON FEDERAL LANDS.—

(1) DEFINITIONS.—In this subsection, the following definitions apply:

(A) OPEN TO PUBLIC TRAVEL.—The term “open to public travel” means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

(i) is maintained;

(ii) is open to the general public; and

(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive

signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

(B) STANDARD PASSENGER VEHICLE.—The term “standard passenger vehicle” means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.

(2) EXPENDITURE OF FUNDS.—Notwithstanding subsection (d)(1), the Secretary may expend funds from the emergency fund authorized by this section, independently or in cooperation with any other branch of the Federal Government, a State agency, a tribal government, an organization, or a person, for the repair or reconstruction of tribal transportation facilities, Federal lands transportation facilities, and other federally owned roads that are open to public travel, whether or not those facilities are Federal-aid highways.

(3) REIMBURSEMENT.—

(A) IN GENERAL.—The Secretary may reimburse Federal and State agencies (including political subdivisions) for expenditures made for projects determined eligible under this section, including expenditures for emergency repairs made before a determination of eligibility.

(B) TRANSFERS.—With respect to reimbursements described in subparagraph (A)—

(i) those reimbursements to Federal agencies and Indian tribal governments shall be transferred to the account from which the expenditure was made, or to a similar account that remains available for obligation; and

(ii) the budget authority associated with the expenditure shall be restored to the agency from which the authority was derived and shall be available for obligation until the end of the fiscal year following the year in which the transfer occurs.

(f) TREATMENT OF TERRITORIES.—For purposes of this section, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall be considered to be States and parts of the United States, and the chief executive officer of each such territory shall be considered to be a Governor of a State.

(g) PROTECTING PUBLIC SAFETY AND MAINTAINING ROADWAYS.—The Secretary may use not more than 5 percent of amounts from the emergency fund authorized by this section to carry out projects that the Secretary determines are necessary to protect the public safety or to maintain or protect roadways that are included within the scope of an emergency declaration by the Governor of the State or by the President, in accordance with this section, and the Governor deems to be an ongoing concern in order to maintain vehicular traffic on the roadway.

\* \* \* \* \*

**CHAPTER 6—INFRASTRUCTURE FINANCE**

\* \* \* \* \*

**§ 603. Secured loans**

(a) IN GENERAL.—

(1) AGREEMENTS.—Subject to paragraphs (2) and (3), the Secretary may enter into agreements with 1 or more obligors to make secured loans, the proceeds of which shall be used—

(A) to finance eligible project costs of any project selected under section 602;

(B) to refinance interim construction financing of eligible project costs of any project selected under section 602;

(C) to refinance existing Federal credit instruments for rural infrastructure projects; or

(D) to refinance long-term project obligations or Federal credit instruments, if the refinancing provides additional funding capacity for the completion, enhancement, or expansion of any project that—

(i) is selected under section 602; or

(ii) otherwise meets the requirements of section 602.

(2) LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.—A loan under paragraph (1) shall not refinance interim construction financing under paragraph (1)(B)—

(A) if the maturity of such interim construction financing is later than 1 year after the substantial completion of the project; and

(B) later than 1 year after the date of substantial completion of the project.

(3) RISK ASSESSMENT.—Before entering into an agreement under this subsection, the Secretary, in consultation with the Director of the Office of Management and Budget, shall determine an appropriate capital reserve subsidy amount for each secured loan, taking into account each rating letter provided by an agency under section 602(b)(3)(B).

(b) TERMS AND LIMITATIONS.—

(1) IN GENERAL.—A secured loan under this section with respect to a project shall be on such terms and conditions and contain such covenants, representations, warranties, and requirements (including requirements for audits) as the Secretary determines to be appropriate.

(2) MAXIMUM AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of a secured loan under this section shall not exceed the lesser of 49 percent of the reasonably anticipated eligible project costs or if the secured loan does not receive an investment grade rating, the amount of the senior project obligations.

(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the maximum amount of a secured loan made to a State infrastructure bank shall be determined in accordance with section 602(a)(5)(B)(iii).

(3) PAYMENT.—A secured loan under this section—

(A) shall—

(i) be payable, in whole or in part, from—

(I) tolls;

(II) user fees;

(III) payments owing to the obligor under a public-private partnership;

(IV) other dedicated revenue sources that also secure the senior project obligations; or

(V) in the case of a secured loan for a project capitalizing a rural projects fund, any other dedicated revenue sources available to a State infrastructure bank, including repayments from loans made by the bank for rural infrastructure projects; and

(ii) include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

(B) may have a lien on revenues described in subparagraph (A), subject to any lien securing project obligations.

(4) INTEREST RATE.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the interest rate on a secured loan under this section shall be not less than the yield on United States Treasury securities of a similar maturity to the maturity of the secured loan on the date of execution of the loan agreement.

(B) RURAL INFRASTRUCTURE PROJECTS.—

(i) IN GENERAL.—The interest rate of a loan offered to a rural infrastructure project or a rural projects fund under the TIFIA program shall be at 1/2 of the Treasury Rate in effect on the date of execution of the loan agreement.

(ii) APPLICATION.—The rate described in clause (i) shall only apply to any portion of a loan the subsidy cost of which is funded by amounts set aside for rural infrastructure projects and rural project funds under section 608(a)(3)(A).

(C) LIMITED BUYDOWNS.—The interest rate of a secured loan under this section may not be lowered by more than the lower of—

(i) 11/2 percentage points (150 basis points); or

(ii) the amount of the increase in the interest rate.

(5) MATURITY DATE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the final maturity date of the secured loan shall be the lesser of—

(i) 35 years after the date of substantial completion of the project; and

(ii) if the useful life of the capital asset being financed is of a lesser period, the useful life of the asset.

(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the final maturity date of the secured loan shall not exceed 35 years after the date on which the secured loan is obligated.

(6) NONSUBORDINATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the secured loan shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

(B) PREEXISTING INDENTURE.—



(i) IN GENERAL.—The Secretary shall waive the requirement under subparagraph (A) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture, if—

(I) the secured loan is rated in the A category or higher;

(II) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge or a system-backed pledge of project revenues; and

(III) the TIFIA program share of eligible project costs is 33 percent or less.

(ii) LIMITATION.—If the Secretary waives the non-subordination requirement under this subparagraph—

(I) the maximum credit subsidy to be paid by the Federal Government shall be not more than 10 percent of the principal amount of the secured loan; and

(II) the obligor shall be responsible for paying the remainder of the subsidy cost, if any.

(7) FEES.—The Secretary may establish fees at a level sufficient to cover all or a portion of the costs to the Federal Government of making a secured loan under this section.

【(8) NON-FEDERAL SHARE.—The proceeds of a secured loan under the TIFIA program may be used for any non-Federal share of project costs required under this title or chapter 53 of title 49, if the loan is repayable from non-Federal funds.】

*(8) NON-FEDERAL SHARE.—Notwithstanding paragraph (9) and section 117(j)(2), the proceeds of a secured loan under the TIFIA program shall be considered to be part of the non-Federal share of project costs required under this title or chapter 53 of title 49, if the loan is repayable from non-Federal funds.*

(9) MAXIMUM FEDERAL INVOLVEMENT.—

(A) IN GENERAL.—The total Federal assistance provided for a project receiving a loan under the TIFIA program shall not exceed 80 percent of the total project cost.

(B) RURAL PROJECTS FUND.—A project capitalizing a rural projects fund shall satisfy subparagraph (A) through compliance with the Federal share requirement described in section 610(e)(3)(B).

(c) REPAYMENT.—

(1) SCHEDULE.—The Secretary shall establish a repayment schedule for each secured loan under this section based on—

(A) the projected cash flow from project revenues and other repayment sources; and

(B) the useful life of the project.

(2) COMMENCEMENT.—Scheduled loan repayments of principal or interest on a secured loan under this section shall commence not later than 5 years after the date of substantial completion of the project.

(3) DEFERRED PAYMENTS.—

(A) IN GENERAL.—If, at any time after the date of substantial completion of the project, the project is unable to generate sufficient revenues to pay the scheduled loan re-

payments of principal and interest on the secured loan, the Secretary may, subject to subparagraph (C), allow the obligor to add unpaid principal and interest to the outstanding balance of the secured loan.

(B) INTEREST.—Any payment deferred under subparagraph (A) shall—

(i) continue to accrue interest in accordance with subsection (b)(4) until fully repaid; and

(ii) be scheduled to be amortized over the remaining term of the loan.

(C) CRITERIA.—

(i) IN GENERAL.—Any payment deferral under subparagraph (A) shall be contingent on the project meeting criteria established by the Secretary.

(ii) REPAYMENT STANDARDS.—The criteria established pursuant to clause (i) shall include standards for reasonable assurance of repayment.

(4) PREPAYMENT.—

(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and secured loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the secured loan without penalty.

(B) USE OF PROCEEDS OF REFINANCING.—The secured loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.

(d) SALE OF SECURED LOANS.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after substantial completion of a project and after notifying the obligor, the Secretary may sell to another entity or reoffer into the capital markets a secured loan for the project if the Secretary determines that the sale or reoffering can be made on favorable terms.

(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the written consent of the obligor.

(e) LOAN GUARANTEES.—

(1) IN GENERAL.—The Secretary may provide a loan guarantee to a lender in lieu of making a secured loan under this section if the Secretary determines that the budgetary cost of the loan guarantee is substantially the same as that of a secured loan.

(2) TERMS.—The terms of a loan guarantee under paragraph (1) shall be consistent with the terms required under this section for a secured loan, except that the rate on the guaranteed loan and any prepayment features shall be negotiated between the obligor and the lender, with the consent of the Secretary.

(f) STREAMLINED APPLICATION PROCESS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of the FAST Act, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under the TIFIA pro-

gram that use a set or sets of conventional terms established pursuant to this section.

(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary may include terms commonly included in prior credit agreements and allow for an expedited application period, including—

(A) the secured loan is in an amount of not greater than \$100,000,000;

(B) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and

(C) repayment of the loan commences not later than 5 years after disbursement.

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**CONSOLIDATED APPROPRIATIONS ACT, 2018**

(Public Law 115–141)

\* \* \* \* \*

**DIVISION L—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018**

**TITLE I—DEPARTMENT OF TRANSPORTATION**

\* \* \* \* \*

**FEDERAL TRANSIT ADMINISTRATION**

**ADMINISTRATIVE EXPENSES**

For necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, \$113,165,000: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2019 President’s budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2019.

\* \* \* \* \*

**CAPITAL INVESTMENT GRANTS**

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, \$2,644,960,000 to remain available until September 30, 2021: *Provided*, That of the amounts made available under this heading,

\$2,252,508,586 shall be obligated by [December 31, 2019] *September 30, 2020: Provided further*, That \$5,050,000 from unobligated amounts appropriated for the buses and bus facilities program under section 5309 of such title from fiscal years 2000 to 2005 shall remain available until September 30, 2021 to carry out section 5309: *Provided further*, That of the amounts made available under this heading, \$1,506,910,000 shall be available for projects authorized under section 5309(d) of such title, \$715,700,000 shall be available for projects authorized under section 5309(e) of such title, \$400,900,000 shall be available for projects authorized under section 5309(h) of such title: *Provided further*, That the Secretary shall continue to administer the capital investment grant program in accordance with the procedural and substantive requirements of section 5309 of such title.

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**RAILROAD REVITALIZATION AND REGULATORY  
REFORM ACT OF 1976**

\* \* \* \* \*

**TITLE V—RAILROAD REHABILITATION AND IMPROVEMENT  
FINANCING**

\* \* \* \* \*

**SEC. 502. DIRECT LOANS AND LOAN GUARANTEES.**

(a) **GENERAL AUTHORITY.**—The Secretary shall provide direct loans and loan guarantees to—

- (1) State and local governments;
- (2) interstate compacts consented to by Congress under section 410(a) of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24101 note);
- (3) government sponsored authorities and corporations;
- (4) railroads;
- (5) joint ventures that include at least 1 of the entities described in paragraph (1), (2), (3), (4), or (6); and
- (6) solely for the purpose of constructing a rail connection between a plant or facility and a railroad, limited option freight shippers that own or operate a plant or other facility.

(b) **ELIGIBLE PURPOSES.**—

(1) **IN GENERAL.**—Direct loans and loan guarantees under this section shall be used to—

- (A) acquire, improve, or rehabilitate intermodal or rail equipment or facilities, including track, components of track, bridges, yards, buildings, and shops, and costs related to these activities, including pre-construction costs;
- (B) refinance outstanding debt incurred for the purposes described in subparagraph (A) or (C);
- (C) develop or establish new intermodal or railroad facilities;
- (D) reimburse planning and design expenses relating to activities described in subparagraph (A) or (C); or

(E) finance economic development, including commercial and residential development, and related infrastructure and activities, that—

(i) incorporates private investment;

(ii) is physically or functionally related to a passenger rail station or multimodal station that includes rail service;

(iii) has a high probability of the applicant commencing the contracting process for construction not later than 90 days after the date on which the direct loan or loan guarantee is obligated for the project under this title; and

(iv) has a high probability of reducing the need for financial assistance under any other Federal program for the relevant passenger rail station or service by increasing ridership, tenant lease payments, or other activities that generate revenue exceeding costs.

(2) OPERATING EXPENSES NOT ELIGIBLE.—Direct loans and loan guarantees under this section shall not be used for railroad operating expenses.

(3) SUNSET.—The Secretary may provide a direct loan or loan guarantee under this section for a project described in paragraph (1)(E) [only during the 4-year period beginning on the date of enactment of the Passenger Rail Reform and Investment Act of 2015] *until September 30, 2020*.

(c) PRIORITY PROJECTS.—In granting applications for direct loans or guaranteed loans under this section, the Secretary shall give priority to projects that—

(1) enhance public safety, including projects for the installation of a positive train control system (as defined in section 20157(i) of title 49, United States Code);

(2) promote economic development;

(3) enhance the environment;

(4) enable United States companies to be more competitive in international markets;

(5) are endorsed by the plans prepared under section 135 of title 23 or chapter 227 of title 49, United States Code, by the State or States in which they are located;

(6) improve railroad stations and passenger facilities and increase transit-oriented development;

(7) preserve or enhance rail or intermodal service to small communities or rural areas;

(8) enhance service and capacity in the national rail system;

or

(9) would materially alleviate rail capacity problems which degrade the provision of service to shippers and would fulfill a need in the national transportation system.

(d) EXTENT OF AUTHORITY.—The aggregate unpaid principal amounts of obligations under direct loans and loan guarantees made under this section shall not exceed \$35,000,000,000 at any one time. Of this amount, not less than \$7,000,000,000 shall be available solely for projects primarily benefiting freight railroads other than Class I carriers. The Secretary shall not establish any limit on the proportion of the unused amount authorized under this subsection that may be used for 1 loan or loan guarantee.

## (e) RATES OF INTEREST.—

(1) DIRECT LOANS.—The Secretary shall require interest to be paid on a direct loan made under this section at a rate not less than that necessary to recover the cost of making the loan.

(2) LOAN GUARANTEES.—The Secretary shall not make a loan guarantee under this section if the interest rate for the loan exceeds that which the Secretary determines to be reasonable, taking into consideration the prevailing interest rates and customary fees incurred under similar obligations in the private capital market.

## (f) INFRASTRUCTURE PARTNERS.—

(1) AUTHORITY OF SECRETARY.—In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification thereof, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State or local government or agency or public benefit corporation or public authority thereof, to fund in whole or in part credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification. In no event shall the aggregate of appropriations of budget authority and credit risk premiums described in this paragraph with respect to a direct loan or loan guarantee be less than the cost of that direct loan or loan guarantee.

(2) CREDIT RISK PREMIUM AMOUNT.—The Secretary shall determine the amount required for credit risk premiums under this subsection on the basis of—

(A) the circumstances of the applicant, including the amount of collateral offered, if any;

(B) the proposed schedule of loan disbursements;

(C) historical data on the repayment history of similar borrowers;

(D) consultation with the Congressional Budget Office; and

(E) any other factors the Secretary considers relevant.

(3) CREDITWORTHINESS.—An applicant may propose and the Secretary shall accept as a basis for determining the amount of the credit risk premium under paragraph (2) any of the following in addition to the value of any tangible asset:

(A) The net present value of a future stream of State or local subsidy income or other dedicated revenues to secure the direct loan or loan guarantee.

(B) Adequate coverage requirements to ensure repayment, on a non-recourse basis, from cash flows generated by the project or any other dedicated revenue source, including—

(i) tolls;

(ii) user fees; or

(iii) payments owing to the obligor under a public-private partnership.

(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, except that if the total amount of the direct loan or loan guarantee is greater than

\$75,000,000, the applicant shall have an investment-grade rating from at least 2 rating agencies on the direct loan or loan guarantee.

(4) PAYMENT OF PREMIUMS.—Credit risk premiums under this subsection shall be paid to the Secretary before the disbursement of loan amounts (and in the case of a modification, before the modification is executed), to the extent appropriations are not available to the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications thereof.

(g) PREREQUISITES FOR ASSISTANCE.—The Secretary shall not make a direct loan or loan guarantee under this section unless the Secretary has made a finding in writing that—

(1) repayment of the obligation is required to be made within a term of not more than the lesser of—

(A) 35 years after the date of substantial completion of the project; or

(B) the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established;

(2) the direct loan or loan guarantee is justified by the present and probable future demand for rail services or intermodal facilities;

(3) the applicant has given reasonable assurances that the facilities or equipment to be acquired, rehabilitated, improved, developed, or established with the proceeds of the obligation will be economically and efficiently utilized;

(4) the obligation can reasonably be repaid, using an appropriate combination of credit risk premiums and collateral offered by the applicant to protect the Federal Government; and

(5) the purposes of the direct loan or loan guarantee are consistent with subsection (b).

(h) CONDITIONS OF ASSISTANCE.—(1) The Secretary shall, before granting assistance under this section, require the applicant to agree to such terms and conditions as are sufficient, in the judgment of the Secretary, to ensure that, as long as any principal or interest is due and payable on such obligation, the applicant, and any railroad or railroad partner for whose benefit the assistance is intended—

(A) will not use any funds or assets from railroad or intermodal operations for purposes not related to such operations, if such use would impair the ability of the applicant, railroad, or railroad partner to provide rail or intermodal services in an efficient and economic manner, or would adversely affect the ability of the applicant, railroad, or railroad partner to perform any obligation entered into by the applicant under this section;

(B) will, consistent with its capital resources, maintain its capital program, equipment, facilities, and operations on a continuing basis; and

(C) will not make any discretionary dividend payments that unreasonably conflict with the purposes stated in subsection (b).

(2) The Secretary shall not require an applicant for a direct loan or loan guarantee under this section to provide collateral. Any collateral provided or thereafter enhanced shall be valued as a going

concern after giving effect to the present value of improvements contemplated by the completion and operation of the project, if applicable. The Secretary shall not require that an applicant for a direct loan or loan guarantee under this section have previously sought the financial assistance requested from another source.

(3) The Secretary shall require recipients of direct loans or loan guarantees under this section to comply with—

(A) the standards of section 24312 of title 49, United States Code, as in effect on September 1, 2002, with respect to the project in the same manner that the National Railroad Passenger Corporation is required to comply with such standards for construction work financed under an agreement made under section 24308(a) of that title; and

(B) the protective arrangements established under section 504 of this Act, with respect to employees affected by actions taken in connection with the project to be financed by the loan or loan guarantee.

(4) The Secretary shall require each recipient of a direct loan or loan guarantee under this section for a project described in subsection (b)(1)(E) to provide a non-Federal match of not less than 25 percent of the total amount expended by the recipient for such project.

(i) APPLICATION PROCESSING PROCEDURES.—

(1) APPLICATION STATUS NOTICES.—Not later than 30 days after the date that the Secretary receives an application under this section, or additional information and material under paragraph (2)(B), the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

(2) INCOMPLETE APPLICATIONS.—If the Secretary determines that an application is incomplete, the Secretary shall—

(A) provide the applicant with a description of all of the specific information or material that is needed to complete the application, including any information required by an independent financial analyst; and

(B) allow the applicant to resubmit the application with the information and material described under subparagraph (A) to complete the application.

(3) APPLICATION APPROVALS AND DISAPPROVALS.—

(A) IN GENERAL.—Not later than 60 days after the date the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

(B) ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—In order to enable compliance with the time limit under subparagraph (A), the Office of Management and Budget shall take any action required with respect to the application within that 60-day period.

(4) EXPEDITED PROCESSING.—The Secretary shall implement procedures and measures to economize the time and cost involved in obtaining an approval or a disapproval of an application for a direct loan or loan guarantee under this title.



(5) DASHBOARD.—The Secretary shall post on the Department of Transportation's Internet Web site a monthly report that includes, for each application—

- (A) the applicant type;
- (B) the location of the project;
- (C) a brief description of the project, including its purpose;
- (D) the requested direct loan or loan guarantee amount;
- (E) the date on which the Secretary provided application status notice under paragraph (1); and
- (F) the date that the Secretary provided notice of approval or disapproval under paragraph (3).

(j) REPAYMENT SCHEDULES.—

(1) IN GENERAL.—The Secretary shall establish a repayment schedule requiring payments to commence not later than 5 years after the date of substantial completion.

(2) ACCRUAL.—Interest shall accrue as of the date of disbursement, and shall be amortized over the remaining term of the loan beginning at the time the payments begin.

(3) DEFERRED PAYMENTS.—

(A) IN GENERAL.—If at any time after the date of substantial completion the obligor is unable to pay the scheduled loan repayments of principal and interest on a direct loan provided under this section, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the direct loan, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.

(B) INTEREST.—A payment deferred under subparagraph (A) shall—

- (i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and
- (ii) be scheduled to be amortized over the remaining term of the loan.

(4) PREPAYMENTS.—

(A) USE OF EXCESS REVENUES.—With respect to a direct loan provided by the Secretary under this section, any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the direct loan without penalty.

(B) USE OF PROCEEDS OF REFINANCING.—The direct loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.

(k) SALE OF DIRECT LOANS.—

(1) IN GENERAL.—Subject to paragraph (2) and as soon as practicable after substantial completion of a project, the Secretary, after notifying the obligor, may sell to another entity or reoffer into the capital markets a direct loan for the project if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.

(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the origi-

nal terms and conditions of the secured loan without the prior written consent of the obligor.

(1) NONSUBORDINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), a direct loan provided by the Secretary under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

(2) PREEXISTING INDENTURES.—

(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture if—

- (i) the direct loan is rated in the A category or higher;
- (ii) the direct loan is secured and payable from pledged revenues not affected by project performance, such as a tax-based revenue pledge or a system-backed pledge of project revenues; and
- (iii) the program share, under this title, of eligible project costs is 50 percent or less.

(B) LIMITATION.—The Secretary may impose limitations for the waiver of the nonsubordination requirement under this paragraph if the Secretary determines that such limitations would be in the financial interest of the Federal Government.

(m) MASTER CREDIT AGREEMENTS.—

(1) IN GENERAL.—Subject to subsection (d) and paragraph (2) of this subsection, the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision of a direct loan or loan guarantee, as applicable, under this title and other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.

(2) CONDITIONS.—Each master credit agreement shall—

- (A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;
- (B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;
- (C) provide for the obligation of funds for the direct loans or loan guarantees contingent on and after all requirements have been met for the projects subject to the master credit agreement; and
- (D) provide 1 or more dates, as determined by the Secretary, before which the master credit agreement results in each of the direct loans or loan guarantees or in the release of the master credit agreement.

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CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted

describing the effect of provisions in the accompanying bill that directly or indirectly change the application of existing law.

#### TITLE I—DEPARTMENT OF TRANSPORTATION

Language is included under Office of the Secretary, ‘Salaries and Expenses’ specifying certain amounts for individual offices of the Office of the Secretary and official reception and representation expenses, specifying transfer authority among offices, allowing up to \$2,500,000 in user fees to be credited to the account, and preventing funds for certain activities.

Language is included under the Office of the Secretary, ‘Research and Technology’ which limits the availability of funds, changes the availability of funds, provides funds for specified activities, allows funds received from other entities to be credited to the account, and deems the title of the office.

Language is included under the Office of the Secretary, ‘National Infrastructure Investments’ which authorizes and appropriates grant funding for surface transportation infrastructure to be competitively awarded at the discretion of the Secretary, limits the availability of funds, specifies grantee and project eligibility requirements, authorizes a portion of the funds for Federal credit assistance awards, specifies requirements for how the Secretary shall prioritize funding and select projects, specifies minimum and maximum grants sizes and sets limits on awards per project and per state, specifies a limit on federal share of projects receiving awards, establishes minimum funding amounts for rural and urban projects, authorizes the Secretary to use funds for departmental administrative costs, and establishes requirements and deadlines for when and how the Secretary shall solicit applications for grants and make awards.

Language is included under the Office of the Secretary, ‘National Surface and Innovative Finance Bureau’ which makes funding available until expended and sets a notification requirement.

Language is included under the Office of the Secretary, ‘Financial Management Capital’ which provides funds for financial systems and business process upgrades and changes the availability of funds.

Language is included under the Office of the Secretary, ‘Cyber Security Initiatives’ which provides funds for information technology security upgrades and changes the availability of funds.

Language is included under the Office of the Secretary, ‘Transportation Planning, Research, and Development’ which provides funds for conducting transportation planning, research, and development activities and making grants; changes the availability of funds; and specifies funding minimums for and authorities related to the Interagency Infrastructure Permitting Improvement Center.

Language is included that limits operating costs and capital outlays of the Working Capital Fund for the Department of Transportation (DOT); provides that services shall be provided on a competitive basis, except for non-DOT entities; restricts the transfer for any funds to the Working Capital Fund with approval; and limits special assessments or reimbursable agreements levied against any program, project, or activity funded in this Act to only those assessments or reimbursable agreements that are presented to and approved by the House and Senate Committees on Appropriations.

Language is included under Office of the Secretary, 'Small and Disadvantaged Business Utilization and Outreach' specifying that funds may be used for business opportunities related to any mode of transportation, limiting the availability of funds, and specifying that funds may be used for activities previously under the heading 'Minority Business Resource Center'.

Language is included under the Office of the Secretary, 'Payments to Air Carriers' that allows the Secretary of Transportation to consider subsidy requirements when determining service to a community, eliminates the requirement that carriers use at least 15-passenger aircraft, prohibits funds for communities within a certain distance of a small hub airport without a cost-share, allows amounts to be made available from the Federal Aviation Administration, and allows the reimbursement of such amounts from overflight fees.

Section 101 prohibits the Office of the Secretary of Transportation from approving assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 102 sets administrative requirements of the Department's Council on Credit and Finance.

Section 103 allows the Department to use the Working Capital Fund to provide transit benefits to Federal employees.

Section 104 provides additional amounts to the Office of the Secretary, 'Salaries and Expenses' if the Secretary completes work on certain competitive grant programs.

Section 105 specifies certain amounts for the Office of the Secretary, 'Research and Technology' for the Secretary to conduct a study and establishes requirements and deadlines for when and how the Secretary shall execute such a study.

Section 106 specifies certain amounts for the Office of the Secretary, 'Research and Technology' for the Secretary to establish a center of excellence within the Department and establishes requirements and deadlines for when and how the Secretary shall execute such a center of excellence.

Language is included under the Federal Aviation Administration, 'Operations' that specifies funds for certain activities; limits the availability of funds; derives funds from the Airport and Airway Trust Fund; specifies transfer authorities among activities; requires various staffing plans by a certain date with financial penalties for late submissions; permits the use of funds to enter into a grant agreement with a nonprofit standard setting organization to develop aviation safety standards; prohibits the use of funds for new applicants of the second career training program; prohibits funds to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law; credits funds received from other entities for expenses incurred in the provision of agency services; specifies funds for the contract tower program; prohibits funds from certain activities coordinated through the Working Capital Fund; prohibits funds to eliminate the Contract Weather Observer program; and requires organizational changes to field or regional offices to be subject to section 405 of this Act.

Language is included under Federal Aviation Administration, 'Facilities and Equipment' that funds various activities from the Airport and Airway Trust Fund, limits the availability of funds, credits funds received from other entities for expenses incurred in the modernization of air navigation systems, and requires a capital investment.

Language is included under Federal Aviation Administration, 'Research, Engineering, and Development' that provides funds from the Airport and Airway Trust Fund that limits the availability of funds; credits funds received from other entities for expenses incurred for in research, engineering and development to be credited to the account; requires funds to be used in accordance with the report accompanying this Act; and specifies transfer authorities among amounts in the report subject to section 405 of this Act.

Language is included under Federal Aviation Administration, 'Grants-in-aid for Airports' that provides funds from the Airport and Airway Trust Fund and from general funds, specifies the availability of funds, prohibits funds for certain activities, sets a cost share requirement on certain airport construction projects, limits the availability of funds for certain activities, allows the participation of certain additional airports, allows the Federal share of certain grants to be 95 percent, allows funds to be used for administrative expenses, research, and the "Small Community Air Service Development Program"; and defines airport eligibility.

Section 110 limits the number of technical work years at the Center for Advanced Aviation Systems Development to 600.

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

Section 112 allows reimbursement for fees collected and credited under 49 U.S.C. 45303.

Section 113 allows reimbursement of funds for providing technical assistance to foreign aviation authorities to be credited to the operations account.

Section 114 prohibits FAA from paying Sunday premium pay, except in those cases where the individual actually worked on a Sunday.

Section 115 prohibits FAA from using funds to purchase store gift cards or gift certificates through a government-issued credit card.

Section 116 requires approval from the Deputy Assistant Secretary for Administration of the Department of Transportation for retention bonuses for any FAA employee.

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

Section 118 limits the number of FAA political appointees to eight.

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

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

Section 119B prohibits funds to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

Section 119C sets requirements for the Contract Tower program.

Section 119D allows for reimbursements to airports affected by Temporary Flight Restrictions (TFRs).

Language is included under the Federal Highway Administration, 'Limitation on Administrative Expenses' that limits the amount to be paid, together with advances and reimbursements received, for the administrative expenses of the agency. In addition to this limitation, an amount is specified that is to be made available to the Appalachian Regional Commission for administrative expenses.

Language is included under the Federal Highway Administration, 'Federal-aid Highways' that limits the obligations for Federal-aid highways and highway safety construction programs; allows the Secretary to charge, collect and spend fees for the costs of underwriting and servicing Federal credit instruments; and provides that such amounts are in addition to administrative expenses, and not subject to any obligation limitation or limitation on administrative expenses under section 608 of title 23, U.S.C., and are available until expended.

Language is included under the Federal Highway Administration, 'Federal-aid Highways' that liquidates contract authority from the Highway Trust Fund.

Language is included under the Federal Highway Administration, 'Highway Infrastructure Programs' that authorizes and appropriates additional amounts for activities eligible under sections 133(b), 130(a), 151, 165(b)(2) and 165(c)(6) of title 23, and the Nationally Significant Federal lands and tribal projects program and the Regional Infrastructure Accelerator Demonstration Program as authorized under the FAST Act, an Advanced Digital Construction Management System, a National Road Network Pilot Program, and a research study on Tribal populations. Language specifies the formula distribution of funding, applies and waives various statutory requirements for each subset of funding, and changes the availability of funds.

Section 120 distributes obligation authority among Federal-aid highways programs, contingent on enactment of authorization legislation.

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

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

Section 123 requires Congressional notification before the Department provides credit assistance under section 603 and 604 of title 23, U.S.C.

Section 124 requires Congressional notification before the Department provides grant assistance under section 117 of title 23, U.S.C.

Section 125 authorizes the Secretary to repurpose certain unobligated balances of previously earmarked funds, set requirements for

exercising such authority, defines what constitutes an earmarked amount for purposes of such authority, specifies limitations on what earmark balances are eligible for repurposing, and specifies requirements that new projects must meet in order to be eligible for repurposed funding.

Section 126 repeals a prohibition on two-way tolling on the Verrazano-Narrows Bridge in New York.

Section 127 removes a cap on annual spending of emergency relief funds for the Territories.

Section 128 requires the Department to make determinations on certain waivers to the Buy America Act.

Section 129 repeals a prohibition on removing a bridge in Boston, Massachusetts.

Section 129A modifies a provision of the FAST Act regarding the availability of funds for states without a State Asset Management plan.

Language is included under the Federal Motor Carrier Safety Administration, 'Motor Carrier Safety Operations and Programs' that provides a limitation on obligations and liquidation of contract authorization; changes the availability of funds; and specifies amounts available for specific activities.

Language is included under the Federal Motor Carrier Safety Administration, 'Motor Carrier Safety Grants' that provides limitation on obligations and liquidation of contract authorization; modifies the availability of certain funds; and specifies amounts available for various programs.

Section 130 requires the Federal Motor Carrier Safety Administration to send notices of certain violations such that the receipt of such notice is confirmed.

Section 131 prohibits funds to enforce Electronic Logging Device regulations with respect to carriers transporting livestock or insects.

Section 132 requires the Federal Motor Carrier Safety Administration to require rear underride guards be inspected annually.

Section 133 prohibits the Federal Motor Carrier Safety Administration from using funds to review and issue a decision on a petition to preempt certain State meal and rest break laws.

Section 134 requires the Federal Motor Carrier Safety Administration to make Compliance, Safety, Accountability program data publicly available consistent with the way it was made available before December 4, 2015.

Section 135 prohibits the Federal Motor Carrier Safety Administration from using funds to promulgate or enforce a rule that eliminates the 30-minute rest break.

Language is included under National Highway Traffic Safety Administration, 'Operations and Research' that provides funds for vehicle safety activities; and modifies the period of availability of certain funds.

Language is included under National Highway Traffic Safety Administration, 'Operations and Research' that provides a limitation on obligations and a liquidation of contract authorization from the Highway Trust Fund; specifies amounts for various programs; and modifies the period of availability of certain funds.

Language is included under the National Highway Traffic Safety Administration 'Highway Traffic Safety Grants' that provides a

limitation on obligations; changes the availability of funds; provides a liquidation of contract authorization from the Highway Trust Fund; specifies the amounts for various programs; prohibits and limits funds for specific purposes; and requires certain Congressional notifications.

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

Section 141 exempts obligation authority that was made available in previous public laws from limitations on obligations set in this Act.

Section 142 prohibits funding for mandated global positioning system tracking.

Section 143 authorizes and appropriates additional funding for activities eligible under section 403 of title 23 and changes the availability of funds.

Section 144 authorizes and appropriates additional funding for a study on children in vehicles with Automated Driving Systems.

Section 145 prohibits the National Highway Traffic Safety Administration from using funds to finalize "The Safer Affordable Fuel-Efficient Vehicles Rule".

Section 146 prohibits the National Highway Traffic Safety Administration from using funds to enforce requirements imposed by section 405(a)(9) of title 23.

Language is included under Federal Railroad Administration, 'Safety and Operations' which provides funds and funding availability.

Language is included under Federal Railroad Administration, 'Railroad Research and Development' which provides funds and funding availability.

Language is included under Federal Railroad Administration, 'Railroad Rehabilitation and Improvement Financing Program' authorizing the Secretary to issue direct loans and loan guarantees under sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act and provides authority availability.

Language is included under the Federal Railroad Administration, 'Federal-State Partnership for State of Good Repair' which provides funds, provides funding availability, allows the Secretary to withhold funds for a specified purpose, and establishes requirements and deadlines for when and how the Secretary shall solicit applications for grants and make awards.

Language is included under the Federal Railroad Administration, 'Consolidated Rail Infrastructure and Safety Improvements' which provides funds and provides funding availability. Language sets aside amounts for specified purposes, expands eligibility for the set-asides and other purposes, allows certain funds to be transferred based on criteria, and allows unobligated balances remaining after four years to be used for any eligible project. Language establishes requirements and deadlines for when and how the Secretary shall solicit applications for grants and make awards, and allows the Secretary to withhold funding for a specified purpose.

Language is included under the Federal Railroad Administration, 'Magnetic Levitation Technology Deployment Program' which provides funds and funding availability.



Language is included under the Federal Railroad Administration, 'Northeast Corridor Grants to the National Railroad Passenger Corporation' which provides funds and funding availability, allows the Secretary to withhold funding for specified purposes, and sets aside amounts for specified activities.

Language is included under the Federal Railroad Administration, 'National Network Grants to the National Railroad Passenger Corporation' which provides funding and funding availability, and allows the Secretary to withhold funding for a specified purpose.

Section 150 limits overtime to \$35,000 per employee, allows Amtrak to waive this restriction for specific employees for safety or operational efficiency reasons, requires quarterly notification to the House and Senate Committees on Appropriations on waivers granted for overtime and specified information related to overtime, and requires the Amtrak to provide a report that includes specified information on overtime payments incurred for 2019 and three prior years.

Section 151 prohibits funds under the Federal Railroad Administration, 'Northeast Corridor Grants to the National Railroad Passenger Corporation' and 'National Network Grants to the National Railroad Passenger Corporation' to reduce the size of the Amtrak Police Department.

Language is included under Federal Transit Administration, 'Administrative Expenses' specifying amounts for certain activities, modifying the period of availability, prohibiting a permanent office of transit security, and directing the submission of the annual report on new starts.

Language is included under Federal Transit Administration, 'Transit Formula Grants' that provides a limitation on obligations from the Highway Trust Fund, and provides for the liquidation of contract authority.

Language is included under Federal Transit Administration, 'Transit Infrastructure Grants' that specifies amounts for certain activities authorized by sections 5339, 5337, 5312 and 5318 of title 49, from the general fund, and are not subject to any limitation on obligations.

Language is included under Federal Transit Administration 'Technical Assistance and Training' that specifies amounts for certain activities.

Language is included under Federal Transit Administration, 'Capital Investment Grants' that specifies amounts for specific purposes, changes the period of availability of funds, changes the obligation deadline, and requires the Secretary to continue to administer the capital investment grant program pursuant to 49 U.S.C. 5309.

Language is included under Federal Transit Administration, 'Grants to the Washington Metropolitan Area Transit Authority' that changes the period of availability of funds, requires the Secretary to review projects before a grant is made, requires the Secretary to determine that WMATA has placed the highest priority on safety investments and has eliminated financial management issues, requires the Secretary to place the highest priority on safety investments, and allows the Secretary to waive the requirement for cellular phone service.

Section 160 exempts previously made transit obligations from limitations on obligations.

Section 161 allows funds appropriated for capital investment grants and bus and bus facilities not obligated by a certain date, plus other recoveries to be available for other projects under 49 U.S.C. 5309.

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

Section 163 modifies the obligation deadline for certain funds provided under the heading Capital Investment Grants.

Section 164 prohibits the Federal Transit Administration from using funds to enforce provisions in section 9503(e)(4) of Title 26, request or require a Capital Investment Grant project to have a maximum Capital Investment Grant contribution lower than 50 percent of the total project cost; to determine the maximum Capital Investment Grant contribution until the project has been in Engineering for at least 180 days; and requiring projects currently in Project Development or Engineering from exceeding a 50 percent probability threshold when determining the reasonableness of that estimate.

Section 165 permits grantees under section 5339(c) of title 49 to submit applications with partners and permits those arrangements to comply with competitive procurement regulations.

Language is included under the Saint Lawrence Seaway Development Corporation that authorizes expenditures, contracts, and commitments as may be necessary.

Language is included under the Saint Lawrence Seaway Development Corporation 'Operations and Maintenance' that provides funds derived from the Harbor Maintenance Trust Fund, and specifies a certain amount for asset renewal activities.

Language is included under Maritime Administration, 'Maritime Security Program' that provides funds and funding availability.

Language is included under Maritime Administration, 'Operations and Training' that provides funds for specific purposes, limits funding availability, and requires a report on sexual assault and harassment at the United States Merchant Marine Academy.

Language is included under Maritime Administration, 'Assistance to Small Shipyards' that provides funding, and limits funding availability.

Language is included under Maritime Administration, 'Ship Disposal' that provides funds and limits funding availability.

Language is included under Maritime Administration, 'Port Infrastructure Development Program', that provides funds and limits funding availability.

Section 170 allows the Maritime Administration to furnish utilities and services and make repairs to any lease, contract, or occupancy involving government property under the control of MARAD.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Operational Expenses' which provides funding for operations and funding availability. Language establishes requirements and deadlines for when the Secretary shall complete several rulemakings.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Hazardous Materials Safety' which pro-

vides funds for hazardous materials safety functions and funding availability. Language allows up to \$800,000 in fees collected under 49 U.S.C. 5108(g) to be deposited in the general fund of the Treasury as offsetting receipts, and credits to the appropriation for the account funds received from States, counties, other public authorities, and private sources for certain expenses.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Pipeline Safety' which specifies amounts derived from the Pipeline Safety Fund, the Oil Spill Liability Trust Fund, and the Underground Natural Gas Storage Facility Safety Account; limits availability of funds; and specifies a minimum amount for certain activities.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Emergency Preparedness Grants' which specifies the amount derived from the Emergency Preparedness Fund, limits the availability of funds, allows up to four percent of funds made available for administrative costs, and allows prior year recoveries for certain activities.

Language is included under Office of Inspector General, 'Salaries and Expenses' that provides the Inspector General with all necessary authority to investigate allegations of fraud by any person or entity that is subject to regulation by the Department of Transportation, the authority to investigate unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents, and allows funds to be available from forfeiture proceedings.

Section 180 provides authorization for DOT to maintain and operate aircraft, hire passenger motor vehicles and aircraft, purchase liability insurance, buy uniforms, or allowances therefor.

Section 181 limits appropriations for services authorized by 5 U.S.C. 3109 to the rate permitted for an Executive Level IV.

Section 182 prohibits recipients of funds in this Act from disseminating personal information obtained by state DMVs in connection to motor vehicle records with an exception.

Section 183 limits the number of political and Presidential appointees within the Department of Transportation and increases the limitation if the Secretary completes work on certain competitive grant programs.

Section 184 stipulates that revenue collected by FHWA and FRA from States, counties, municipalities, other public authorities, and private sources for training be transferred into specific accounts within the agency with an exception.

Section 185 prohibits DOT from using funds to make a grant, loan, loan guarantee, or cooperative agreement, unless DOT gives a 3-day advance notice to the House and Senate Committees on Appropriations. Also requires notice of any "quick release" of funds from FHWA's emergency relief program, and prohibits notifications from involving funds not available for obligation. Requires DOT to provide a comprehensive list of all loans, loan guarantees, lines of credit, cooperative agreements, and discretionary grants that will be announced with a 3-day advance notice to the House and Senate Committees on Appropriations.

Section 186 allows funds received from rebates, refunds, and similar sources to be credited to appropriations of DOT.

Section 187 allows amounts from improper payments to a third party contractor that are lawfully recovered by DOT to be made available until expended to cover expenses incurred in recovery of such payments.

Section 188 requires that reprogramming actions have to be approved or denied by the House and Senate Committees on Appropriations, and reprogramming notifications shall be transmitted solely to the Appropriations Committees.

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

Section 190 authorizes the Secretary to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits, including distribution of transit benefits.

Section 191 allows the use of funds to assist a contract utilizing geographic, economic, or other hiring preference not otherwise authorized by law, only if certain requirements are met related to availability of local labor, displacement of existing employees, and delays in transportation plans.

Section 192 prohibits funds to take certain actions relating to the California High Speed Rail Authority. Language establishes requirements and deadlines for when and how the Secretary may solicit applications for grants and make awards for specified funding.

Section 195 prohibits the Department of Transportation from using funds for grants to entities that do not comply with practices for control system procurement recommended by the Department of Homeland Security.

## TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Language is included under Department of Housing and Urban Development, ‘Management and Administration’, ‘Executive Offices’ that specifies funds for the Office of the Secretary, the Office of the Deputy Secretary, the Office of Congressional and Intergovernmental Relations, the Office of Public Affairs, the Office of Adjudicatory Services, the Office of Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships; limits funds available for reception and representation; limits reprogramming among these offices; limits funds to detail individuals to these offices; and limits funds for certain positions in the Office of Budget.

Language is included under Department of Housing and Urban Development, ‘Management and Administration’, ‘Administrative Support Offices’ that specifies funds for the Office of the Chief Financial Officer, the Office of the General Counsel, the Office of Field Policy and Management, the Office of Departmental Equal Employment Opportunity, the Office of the Chief Information Officer, and a consolidated Assistant Secretary for Administration; allows funds for the hire of passenger motor vehicles and to hire experts or consultants; requires a quarterly reports on congressional reports; requires congressional reports to be submitted electronically; and requires an expenditure plan for the financial transformation initiative.

Language is included under Department of Housing and Urban Development, 'Management and Administration', 'Program Office Salaries and Expenses' that specifies funds for the Office of Public and Indian Housing, Office of Community Planning and Development, Office of Housing, Office of Policy Development and Research, Office of Fair Housing and Equal Opportunity, and Office of Lead Hazard Control and Healthy Homes; specifies an amount for implementing provisions of the Violence Against Women Act, public and tribal housing inspections, hiring permanent positions for disaster recovery; and transfers unobligated balances from prior years.

Language is included under Department of Housing and Urban Development, 'Management and Administration', 'Working Capital Fund' which specifies the shared services to be used by the Department specifies the conditions for reimbursement; and allows for an additional amount from salaries and expenses to be merged with the working capital fund.

Language is included under Department of Housing and Urban Development, 'Tenant-Based Rental Assistance' which specifies funds for certain programs, activities and purposes and limits the use and availability of certain funds; specifies the methodology for allocation of renewal funding; directs the Secretary to provide renewal funding based on validated voucher system leasing and cost data for the prior year; directs the Secretary, to the extent necessary, to prorate each public housing agency's (PHA) allocation; directs the Secretary to notify PHAs of their annual budget the later of 60 days after enactment of the Act or March 1, 2019; allows the Secretary to extend the notification period with the prior approval of the House and Senate appropriations committees; specifies the amounts available to the Secretary to allocate to PHAs that need additional funds and for fees; specifies the amount for additional rental subsidy due to unforeseen emergencies and portability; provides funding for public housing agencies with vouchers that were not in use during the previous 12 month period in order to be available to meet a commitment pursuant to section 8(o)(13); and provides funding for public housing agencies that despite taking reasonable measures, would otherwise be required to terminate assistance for families as a result of insufficient funding.

Language is included under Department of Housing and Urban Development, 'Tenant-Based Rental Assistance' which provides funds for tenant protection vouchers; sets certain conditions for the Secretary to provide such vouchers; provides funds for residents of multi-family properties that would not otherwise have been eligible for tenant-protection vouchers; sets eligibility requirements for multi-family properties to participate in the program; requires the Secretary to issue guidance on requirements; sets conditions for the reissuance of vouchers; and allows the Secretary to use unobligated and recaptured funds from prior years.

Language is included under Department of Housing and Urban Development, 'Tenant-Based Rental Assistance' which provides funds for administrative and other expenses of public housing agencies to administer the section 8 tenant-based rental assistance program; sets an amount to be available to PHAs that need additional funds to administer their section 8 programs, including fees to administer tenant protection assistance, disaster related vouch-

ers, Veterans Affairs Supportive Housing vouchers and other special purpose vouchers; provides for the distribution of funds; provides for a uniform percentage decrease of amounts to be allocated if funds are not sufficient; establishes that 'Moving to Work' (MTW) agencies be funded pursuant to their MTW agreements and in accordance with the requirements of the MTW program; provides funds for section 811 mainstream vouchers; provides funds for incremental HUD-VASH; provides funds for rental assistance and administrative costs associated with tribal veteran vouchers subject to certain conditions; provides funding for Family Unification Program vouchers, subject to certain conditions; provides funding for a mobility demonstration and specifies amounts for certain eligible activities and requires vouchers funded therein to be and remain for families with children; and requires the Secretary to track special purpose vouchers.

Language is included under Department of Housing and Urban Development, 'Housing Certificate Fund' which rescinds prior year funds and allows the Secretary to use recaptures to fund project-based contracts and contract administrators.

Language is included under Department of Housing and Urban Development, 'Public Housing Capital Fund' which specifies the total amount available for certain activities; limits the availability of funds; limits the delegation of certain waiver authorities; specifies an amount for ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center, pilot a new physical inspection process, and implement recommendations made in the March 2019 GAO report "Real Estate Inspection Center: HUD Should Improve Physical Inspection Process and Oversight of Inspectors" (GAO-19-254); specifies an amount for judicial receiverships, specifies an amount for emergency capital needs; specifies an amount for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing, specifies an amount for competitive grants to public housing agencies for activities authorized under the Healthy Homes Initiative; establishes a limitation on amounts that can be transferred; makes funds available for bonuses for high performing PHAs; and establishes requirements for the notification to public housing agencies of their formula allocations.

Language is included under Department of Housing and Urban Development, 'Public Housing Operating Fund' which specifies the total amount available for certain activities; and modifies the period of availability.

Language is included under Department of Housing and Urban Development, 'Choice Neighborhoods Initiative' which allows the Secretary to make competitive grants for neighborhood rehabilitation; changes the availability of funds; allows funds to be used for services, development, and housing; declares funds not for "public housing"; requires a period of affordability; requires local planning and cost share; allows local governments, tribal entities, public housing authorities and non-profits to be grantees; allows for-profits to partner and apply with a public entity; requires grantees to partner with local organizations; establishes conditions for environmental review; requires grantees to create partnerships with other local organizations; requires the Secretary to consult with other

federal agencies; and allows prior year program funds and HOPE VI funds to be used for this program.

Language is included under Department of Housing and Urban Development, 'Self-Sufficiency Programs' which allows the Secretary to waive or specify certain requirements, establishes entities eligible to compete for funding, allows the establishment of escrow funds, allows the use of residual receipt accounts to hire coordinators for a number of sufficiency programs, and expands eligibility for Family Self-Sufficiency Programs to include Project-Based Rental Assistance properties.

Language is included under Department of Housing and Urban Development, 'Native American Programs' which provides funding and funding availability. Language specifies amounts and conditions for the Native American Housing Block Grants formula program, training and technical assistance, guarantee notes and obligations as defined in section 502 of the Congressional Budget Act of 1974, and the Indian Community Development Block Grant program. Language authorizes and appropriates funding for competitive grants through the Native American Housing Block Grant program to be awarded at the discretion of the Secretary, specifies considerations for the Secretary in making funding awards, establishes a maximum grant award size, and authorizes transfers of funds for administrative expenses.

Language is included under Department of Housing and Urban Development, 'Indian Housing Loan Guarantee Fund Program Account' which specifies the amount and availability of funds to subsidize total loan principal, specifies how to define the costs of modifying loans, and provides a dedicated amount for administrative expenses.

Language is included under Department of Housing and Urban Development, 'Native Hawaiian Housing Block Grant' which provides funding and funding availability. Language prevents and authorizes certain activities.

Language is included under Department of Housing and Urban Development, 'Housing Opportunities for Persons with AIDS' which limits availability of funds and sets forth certain requirements for the allocation of funds, renewal of contracts, and grantee notification.

Language is included under Department of Housing and Urban Development, 'Community Development Fund' which limits the use and availability of certain funds; specifies the allocation of certain funds; prohibits grant recipients from selling, trading or transferring funds; prohibits the provision of funds to for-profit entities for economic development projects unless certain conditions are met; and requires grantee notification of formula allocations within 60 days of enactment.

Language is included under Department of Housing and Urban Development, 'Community Development Loan Guarantees Program Account' which limits the principal amount of loan guarantees; directs the Secretary to collect fees from borrowers adequate to result in credit subsidy cost of zero; and allows the Section 108 loan guarantee program to guarantee notes or other obligations issued by any State on behalf of non-entitlement communities in the State.

Language is included under Department of Housing and Urban Development, 'Home Investment Partnerships Program' which lim-

its the availability of funds; specifies the allocation of certain funds for certain purposes; requires grantee notification within 60 days of enactment; and prohibits sections 218(g) and 231(b) of the Cranston-Gonzalez National Affordable Housing Act from applying with respect to the right of a jurisdiction to draw HOME funds that otherwise expired or would expire in 2016 through 2022, and to uninvested funds that otherwise were deducted or would be deducted in 2018 through 2022, respectively, and that the funds shall only be invested in housing to be developed, sponsored, or owned by community housing development organizations.

Language is included under Department of Housing and Urban Development, 'Self-help and Assisted Homeownership Opportunity Program' which specifies funding amounts for certain programs, limits the period of availability, and specifies certain amounts for rural activities and organizations.

Language is included under Department of Housing and Urban Development, 'Homeless Assistance Grants' which limits the availability of funds; specifies the allocation of certain funds for certain purposes; specifies matching requirements; requires the Secretary to establish minimum performance thresholds for projects; requires the Secretary to prioritize funding to grant applicants that demonstrate a capacity to reallocate funding to higher performing projects; requires grantees to integrate homeless programs with other social service providers; requires notification of formula allocations within 60 days of enactment.

Language is included under Department of Housing and Urban Development, 'Project-Based Rental Assistance' which provides funds, limits the availability of funds, specifies the allocation of certain funds for certain purposes, and allows the Secretary to recapture residual receipts from certain properties.

Language is included under Department of Housing and Urban Development, 'Housing for the Elderly' which limits the availability of funds; specifies the allocation of certain funds; designates certain funds to be used only for certain grants; allows funds to be used for specified inspections or inspection-related activities; allows funds to be used to renew certain contracts; allows the Secretary to waive certain provisions governing contract terms; allows excess funds held in residual receipts accounts, after contract termination, to be deposited in this account; and limits the availability and use of these funds.

Language is included under Department of Housing and Urban Development, 'Housing for Persons with Disabilities' which limits the availability of funds; specifies the allocation of certain funds; allows funds to be used for inspections or inspection-related activities; allows funds to be used to renew certain contracts; allows funds held in residual account, after contract termination, to be deposited in this account; and limits the availability and use of these funds.

Language is included under Department of Housing and Urban Development, 'Housing Counseling Assistance' that provides funds for described purposes, limits the availability of funds, specifies amounts to be used for specified purposes, requires the Secretary to make grants within a specified time frame, and allows multiyear agreements subject to the availability of annual appropriations.



Language is included under Department of Housing and Urban Development, 'Rental Housing Assistance' that provides funds for the cost of contract amendments; limits the availability of funds; and allows the Secretary to use specified unobligated balances, including recaptures, carryover and other specified remaining funds for specified purposes.

Language is included under Department of Housing and Urban Development, 'Payment to Manufactured Housing Fees Trust Fund' that permits fees to be assessed, modified, and collected for dispute resolution and installation programs; permits temporary borrowing authority from the general fund of the Treasury; provides that general fund amounts from collections offset the appropriation so that the resulting appropriation is a specified amount; requires fees collected to be deposited into the Manufactured Housing Fees Trust Fund; allows fees to be used for necessary expenses and limits their availability; and allows the Secretary to use approved service providers.

Language is included under the Department of Housing and Urban Development, 'Mutual Mortgage Insurance Program Account' which limits new commitments to issue guarantees, limits new obligations to make direct loans, specifies funds for administrative contract expenses, specifies that the Secretary may insure specific mortgages only under certain conditions; specifies the extent that the commitment levels allow for additional contract expenses, and limits the availability of funds.

Language is included under Department of Housing and Urban Development, 'General and Special Risk Program Account' which limits new commitments to issue guarantees, limits new obligations to make direct loans, and limits the availability of funds.

Language is included under Department of Housing and Urban Development, 'Government National Mortgage Association' which limits new commitments to issue guarantees, provides funds for salaries and expenses, allows specified receipts to be credited as offsetting collections, allows for additional contract expenses as guaranteed loan commitments exceed certain levels, and limits the availability of funds.

Language is included under Department of Housing and Urban Development, 'Policy Development and Research' which limits the availability of funds, specifies authorized uses, allows the Secretary to enter into cooperative agreements under specified circumstances; directs the submission of a spend plan; and prohibits funding for a specified use.

Language is included under Department of Housing and Urban Development, 'Fair Housing and Equal Opportunity' which provides funds for certain purposes, limits the availability of funds, requires the Secretary to make grants within a specified time frame, authorizes the Secretary to assess and collect fees, and provides funds for programs that support the assistance of persons with limited English proficiency.

Language is included under Department of Housing and Urban Development, 'Office of Lead Hazard Control and Healthy Homes' which changes the period of availability of funds, specifies the amount of funds for specific purposes, specifies the treatment of certain grants, specifies a matching requirement for grants, and requires a certification of adequate capacity.

Language is included under Department of Housing and Urban Development, 'Information Technology Fund' which changes the period of availability and purpose of funds, including funds transferred, and requires a plan for expenditure.

Language is included under Department of Housing and Urban Development, 'Office of Inspector General' which specifies the use of funds and directs that the IG shall have independent authority over all personnel issues within the office.

Section 201 splits overpayments evenly between Treasury and State HFAs.

Section 202 prohibits funds from being used to investigate or prosecute lawful activities under the Fair Housing Act.

Section 203 requires any grant or cooperative agreement to be made on a competitive basis, unless otherwise provided, in accordance with Section 102 of the Department of Housing and Urban Development Reform Act of 1989.

Section 204 relates to the availability of funds for services and facilities for GSEs and others subject to the Government Corporation Control Act and the Housing Act of 1950.

Section 205 prohibits the use of funds in excess of the budget estimates, unless provided otherwise.

Section 206 relates to the expenditure of funds for corporations and agencies subject to the Government Corporation Control Act.

Section 207 requires the Secretary to provide quarterly reports on uncommitted, unobligated, recaptured, and excess funds in each departmental program and activity.

Section 208 requires the Administration's budget and HUD's budget justifications for fiscal year 2020 be submitted in the identical account and sub-account structure provided in this Act.

Section 209 exempts GNMA from certain requirements of the Federal Credit Reform Act of 1990.

Section 210 authorizes HUD to transfer debt and use agreements from an obsolete project to a viable project, provided that no additional costs are incurred and other conditions are met.

Section 211 sets forth requirements for Section 8 voucher assistance eligibility, and includes consideration for persons with disabilities.

Section 212 distributes Native American Housing Block Grants to the same Native Alaskan recipients as in fiscal year 2005.

Section 213 instructs HUD on managing and disposing of any multifamily property that is owned or held by HUD.

Section 214 allows PHAs that own and operate 400 or fewer units of public housing to be exempt from asset management requirements.

Section 215 restricts the Secretary from imposing any requirements or guidelines relating to asset management that restrict or limit the use of capital funds for central office costs, up to the limit established in QHWRA.

Section 216 requires that no employee of the Department shall be designated as an allotment holder unless the CFO determines that such employee has received certain training.

Section 217 requires the Secretary to publish all notices of funding availability that are competitively awarded on the internet for fiscal year 2019.

Section 218 requires attorney fees for programmatic litigation to be paid from the individual program office and Office of General Counsel salaries and expenses appropriations, and requires the Department to submit a spend plan to the House and Senate Committees on Appropriations.

Section 219 allows the Secretary to transfer up to 10 percent of funds or \$5,000,000, whichever is less, appropriated under the headings 'Administrative Support Offices' or 'Program Office Salaries and Expenses' to any other office funded under such headings.

Section 220 requires HUD to take certain actions against owners receiving rental subsidies that do not maintain safe properties.

Section 221 places a salary and bonus limit on public housing agency officials and employees.

Section 222 requires the Secretary to notify the House and Senate Committees on Appropriations at least 3 full business days before grant awards are announced.

Section 223 prohibits funds to be used to require or enforce the Physical Needs Assessment (PNA).

Section 224 prohibits funds for HUD financing of mortgages for properties that have been subject to eminent domain.

Section 225 prohibits the use of funds to terminate the status of a unit of general local government as a metropolitan city with respect to grants under section 106 of the Housing and Community Development Act of 1974.

Section 226 allows funding for research, evaluation, and statistical purposes that is unexpended at the time of completion of the contract, grant, or cooperative agreement to be reobligated for additional research.

Section 227 authorizes the Secretary on a limited basis to use funds available under the 'Homeless Assistance Grants' heading to participate in the multiagency Performance Partnership Pilots program.

Section 228 allows program income as an eligible match for 2016, 2017, 2018, and 2019 Continuum of Care funds.

Section 229 permits HUD to provide one year transition grants under the continuum of care program with no more than 50 percent of the grant provided for costs of eligible activities of the program component originally funded.

Section 230 prohibits the use of funds to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled, "Affirmatively Furthering Fair Housing" or the notice entitled, "Affirmatively Further Fair Housing Assessment Tool".

Section 231 establishes the HUD HAG fund, specifies authorized uses and specifies conditions for transfers into the fund.

Section 232 maintains current Promise Zone designations and agreements.

Section 233 prohibits funds from being used to establish review criteria, including rating factors or preference points, for competitive grants programs for EnVision Center participation or coordination.

Section 234 prohibits funds from being used to implement, administer, enforce, or in any way make effective the proposed rule entitled "Housing and Community Development Act of 1980: Verification of Eligible Status", issued by the Department on May

10, 2019 (Docket No. FR-6124-P-01), or any final rule based substantively on such proposed rule.

Section 235 requires the Department to make data for broadband and resiliency requirements to be incorporated into Consolidated Plans available to grantees not later than 90 days after enactment of this Act and requires grantees to incorporate broadband and resiliency components into their Consolidated Plans not later than 270 days from enactment of this Act.

Section 236 prohibits the use of funds to repeal or revise the “Equal Access in Accordance With an Individual’s Gender Identity in Community Planning and Development Programs” (81 Fed. Reg. 64763) or the “Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity” (77 Fed. Reg. 5662) rules.

Section 237 gives the HUD notice entitled “Appropriate Placement for Transgender Persons in Single-Sex Emergency Shelters and Other Facilities” (Notice CPD-15-02) the force and effect of law.

Section 238 prohibits the Secretary, in this fiscal year or any fiscal year thereafter, to implement, require, enforce, or otherwise make effective any change, amendment, or alteration to any term or condition of the Annual Contributions Contract between the Secretary and any public housing agency, as such contract was in effect as of January 1, 2018, unless such change, amendment, or alteration is made pursuant to a rule issued after notice and an opportunity for public comment and in accordance with the procedure under section 553 of title 5, United States Code.

### TITLE III—RELATED AGENCIES

Language is included for the Access Board, ‘Salaries and Expenses’ that limits funds for necessary expenses and allows for the credit to the appropriation of funds received for publications and training expenses.

Language is included for the Federal Maritime Commission, ‘Salaries and Expenses’ that provides funds for services authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, uniforms and allowances; and limits funds for official reception and representation expenses.

Language is included for the National Railroad Passenger Corporation, Office of Inspector General (OIG), ‘Salaries and Expenses’ which provides funds for an independent, objective unit responsible for detecting and preventing fraud, waste, abuse, and violations of law. Language allows the OIG to enter into contracts; allows the OIG to select, appoint, or employ officers and employees to carry out its functions; and requires the OIG to submit its budget request concurrently with the President’s budget and in a similar format.

Language is included under National Transportation Safety Board, ‘Salaries and Expenses’ that provides funds for hire of passenger motor vehicles and aircraft, services authorized by 5 U.S.C. 3109, uniforms or allowances therefore, limits funds for official reception and representation expenses and allows funds to be used to pay for costs associated with a capital lease.

Language is included in the Neighborhood Reinvestment Corporation (NRC), ‘Payment to the Neighborhood Reinvestment Corporation’ that specifies the allocation of funds.

Language is included under Surface Transportation Board, ‘Salaries and Expenses’ which provides funds, allows the collection of a specified level of fees established by the Chairman of the Surface Transportation Board, and provides that the sum appropriated from the general fund of the Treasury shall be reduced on a dollar-for-dollar basis as such fees are received.

Language is included under the United States Interagency Council on Homelessness, ‘Operating Expenses’ that provides funds to carry out functions pursuant to title II of the McKinney-Vento Homeless Assistance Act.

#### TITLE IV—GENERAL PROVISIONS, THIS ACT

Section 401 prohibits the use of funds for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings.

Section 402 prohibits the obligation of funds beyond the current fiscal year and the transfer of funds to other appropriations, unless expressly provided.

Section 403 limits consulting service expenditures through procurement contracts to those contracts contained in the public record, except where otherwise provided under existing law.

Section 404 prohibits funds from being used for certain types of employee training.

Section 405 specifies requirements for the reprogramming of funds and requires agencies to submit a report in order to establish the baseline for the application of reprogramming and transfer authorities.

Section 406 provides that not to exceed fifty percent of unobligated balances for salaries and expenses may remain available until September 30, 2020, for each account for the purposes authorized, subject to the approval of the House and Senate Committees on Appropriations.

Section 407 prohibits the use of funds for any project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use.

Section 408 prohibits funds from being transferred to any department, agency, or instrumentality of the U.S. Government, except where transfer authority is provided in this or any other appropriations Act.

Section 409 prohibits funds from being used to permanently replace an employee intent on returning to his or her past occupation following completion of military service.

Section 410 prohibits funds from being used by an entity unless the expenditure is in compliance with the Buy American Act.

Section 411 prohibits funds from being made available to any person or entity that has been convicted of violating the Buy American Act.

Section 412 prohibits funds from being used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41 CFR.

Section 413 prohibits funds from being used for the approval of a new foreign air carrier permit or exemption application if that approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

Section 414 restricts the number of employees that agencies may send to international conferences unless such attendance is important to the national interest.

Section 415 caps the amount of fees the Surface Transportation Board can charge or collect for rate or practice complaints filed at the amount authorized for district court civil suit filing fees.

Section 416 prohibits the use of funds to purchase or lease new light-duty vehicles for any executive fleet, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

Section 417 prohibits funds from being used to maintain or establish computer networks unless such networks block the viewing, downloading, or exchange of pornography.

Section 418 prohibits funds from being used to deny an Inspector General timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities, or to prevent or impede that Inspector General's access to such records, documents, or other materials.

Section 419 prohibits funds from being used to pay award or incentive payments to contractors who fail to meet certain requirements.

#### APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law for the period concerned:

#### APPROPRIATIONS NOT AUTHORIZED BY LAW AND EXPIRING AUTHORIZATIONS

[Dollars in Thousands]

Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
<b>Title I—Department of Transportation</b>				
Office of the Secretary:				
National Infrastructure Investments .....	N/A	not applicable	not applicable	\$1,000,000
Payments to Air Carriers .....	2018	\$150,000	\$155,000	\$175,000
Section 106 .....	N/A	not applicable	not applicable	\$10,000
Federal Highway Administration:				
Highway Infrastructure Grants .....	N/A	not applicable	not applicable	1,750,000
Federal Railroad Administration:				
Safety and Operations .....	2013	293,000	169,254	226,698
Magnetic Levitation Technology Development Program .....	2009	45,000	not applicable	10,000
Federal Transit Administration:				
Transit Infrastructure Grants .....	N/A	not applicable	not applicable	750,000
Pipeline and Hazardous Materials Safety Administration:				
Operational Expenses .....	2019	23,000	23,710	23,710
Pipeline Safety				
Pipeline Safety Fund .....	2019	134,000	134,000	137,000
Oil Spill Liability Trust Fund .....	2019	23,000	23,000	23,000
Underground Natural Gas Storage Facility Safety Account .....	2019	8,000	8,000	8,000
<b>Title II—Department of Housing and Urban Development</b>				
Management and Administration .....	1994	\$1,029,496	\$916,963	\$1,385,432
Rental Assistance:				
Section 8 Voucher Renewals and Administrative Expenses .....	1994	8,446,173	5,458,106	23,810,000
Public Housing Capital Fund .....	2003	3,000,000	2,712,555	2,855,057
Public Housing Operating Fund .....	2003	2,900,000	3,576,600	4,753,116

## APPROPRIATIONS NOT AUTHORIZED BY LAW AND EXPIRING AUTHORIZATIONS—Continued

[Dollars in Thousands]

Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Native American Housing Block Grants	2013	Such sums as necessary	616,001	780,000
Indian Housing Loan Guarantee Fund	2014	50,000	1,000	2,500
Native Hawaiian Housing Block Grant	2005	Such sums as necessary	not applicable	2,500
Housing Opportunity for Persons with AIDS	1994	156,300	156,000	410,000
Community Development Fund <sup>1</sup>	1994	4,168,000	4,877,389	3,675,000
Community Development Loan Guarantee Limitation	1994	not applicable	not applicable	[300,000]
Home Investment Partnerships Program	1994	2,173,612	1,275,000	1,750,000
Choice Neighborhoods Initiatives	N/A	not applicable	not applicable	300,000
Self-Help Homeownership Opportunity Program	2001	Such sums as necessary	48,000	55,000
Homeless Assistance	2011	Such sums as necessary	1,901,190	2,546,000
Housing for the Elderly	2003	Such sums as necessary	783,286	803,000
Housing for Persons with Disabilities	2015	300,000	135,000	258,510
FHA General and Special Risk Program Account:				
Limitations on Guaranteed Loans .....	1995	Such sums as necessary	[20,885,072]	[30,000,000]
Limitation on Direct Loans .....	1995	Such sums as necessary	[220,000]	[1,000]
GNMA Mortgage Backed Securities Loan Guarantee Program Account:				
Limitations on Guaranteed Loans .....	1996	[110,000,000]	[110,000,000]	[550,000,000]
Administrative Expenses .....	1996	Such sums as necessary	9,101	24,400
Policy Development and Research	1994	36,470	35,000	98,000
Fair Housing Activities, Fair Housing Program	1994	26,000	20,481	75,300
Lead Hazard Reduction Program	1994	250,000	150,000	290,000
<b>Title III—Related Agencies</b>				
Neighborhood Reinvestment Corporation .....	1994	30,714	31,715	170,000

<sup>1</sup> Reflects amounts associated with Indian Community Development Block Grants appropriated within the Native American Programs account.

## PROGRAM DUPLICATIONS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

## COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget Act of 1974 (P.L. 93–344), as amended, requires the report accompanying a bill providing new budget authority to contain a statement comparing the levels in the bill to the suballocations submitted under section 302(b) of the Act for the most recently agreed to concurrent resolution on the budget for the applicable fiscal year.

[In millions of dollars]

	302(b) Allocation		This Bill	
	Budget Authority	Outlays	Budget Authority	Outlays
Comparison of amounts in the bill with Committee allocations to its subcommittees: Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies				
Discretionary .....	75,771	133,300	75,771	<sup>1</sup> 133,149
Mandatory .....	0	0	0	<sup>1</sup> 0

<sup>1</sup> Includes outlays from prior-year budget authority.

Note.—The amounts in this report do not include \$878,000,000 in discretionary outlays from funding provided by the Additional Supplemental Appropriations for Disaster Relief Act, 2019, that was designated as being for emergency requirements pursuant to section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985. Consistent with the Congressional Budget Act of 1974, in the House of Representatives such amounts do not count against the Committee's allocation.

**FIVE-YEAR OUTLAY PROJECTIONS**

In compliance with section 308(a)(1)(B) of the Congressional Budget Act of 1974 (P.L. 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill.

[In millions of dollars]

	Outlays
Projection of outlays associated with the recommendation:	
2020 .....	<sup>1</sup> 49,580
2021 .....	40,803
2022 .....	17,797
2023 .....	8,745
2024 and future years .....	13,224

<sup>1</sup> Excludes outlays from prior-year budget authority.

**FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS**

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (P.L. 93–344), as amended, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments.

[In millions of dollars]

	Budget Authority	Outlays
Financial assistance to State and local governments for 2020 .....	41,136	<sup>1</sup> 35,098

<sup>1</sup> Excludes outlays from prior-year budget authority.

**COMMITTEE HEARINGS**

In compliance with Sec. 103(i) of H. Res. 6 (116th Congress) the following hearings were used to develop the fiscal year 2020 Transportation, Housing and Urban Development, and Related Agencies Appropriations Bill:

Date	Title of Hearing	Witnesses
Feb. 12, 2019 .....	Oversight Hearing: The Department of Housing and Urban Development's Management of Housing Contracts During the Shutdown.	Mr. Brian Montgomery, Acting Deputy Secretary, FHA Commissioner and Assistant Secretary for Housing, Department of Housing and Urban Development; Mr. Irv Dennis, Chief Financial Officer, Department of Housing and Urban Development.



Date	Title of Hearing	Witnesses
Feb. 27, 2019 .....	Stakeholder Perspectives: Fair Housing.	Ms. Claudia L. Aranda, Senior Research Associate, Director of Field Operations, Urban Institute; Mrs. Keenya Robertson, President & CEO, Housing Opportunities Project for Excellence, Inc.
March 7, 2019 .....	Stakeholder Perspectives: Affordable Housing Production.	Mr. Scott Farmer, Executive Director, North Carolina Housing Finance Agency; Ms. Ellen Lurie Hoffman, Federal Policy Director, National Housing Trust; Mr. Anthony Scott, Chief Executive Officer, Durham Housing Authority.
March 12, 2019 .....	Stakeholder Perspectives: Passenger Rail Development.	Mr. Stephen Gardner, Senior Executive Vice President, Commercial, Marketing and Strategy, Amtrak; Mr. Jason Orthner, Rail Division Director, North Carolina Department of Transportation; Mr. DJ Mitchell, Assistant Vice President, Passenger Operations, BNSF Railway.
March 13, 2019 .....	Stakeholder Perspectives: Building Resilient Communities.	Carol Haddock, Director, Houston Public Works; Laura Lightbody, Project Director, Flood-Prepared Communities, Pew Charitable Trusts; Franklin Moon, Professor, Civil and Environmental Engineering, Rutgers University; Jennifer Raitt, Director of Planning and Community Development, Town of Arlington, MA.
March 26, 2019 .....	Member Day Hearing .....	The Honorable Peter J. Visclosky (IN01); The Honorable Tom Malinowski (NJ07); The Honorable Max Rose (NY11); The Honorable Steve C. Watkins Jr. (KS02); The Honorable Gilbert Ray Cisneros Jr. (CA39); The Honorable Adriano Espaillat (NY13); The Honorable Jefferson Van Drew (NJ02); The Honorable Sheila Jackson Lee (TX18).
April 3, 2019 .....	Department of Housing and Urban Development Budget Request for Fiscal Year 2020.	The Honorable Benjamin S. Carson, Secretary, Department of Housing and Urban Development.
April 10, 2019 .....	Department of Transportation Budget Request for Fiscal Year 2020.	The Honorable Elaine L. Chao, Secretary, Department of Transportation.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses.....	113,910	117,993	113,910	---	-4,083
Immediate Office of the Secretary.....	(3,065)	(3,041)	(3,065)	---	(+24)
Immediate Office of the Deputy Secretary.....	(1,000)	(1,388)	(1,000)	---	(-388)
Office of the General Counsel.....	(20,428)	(20,892)	(20,428)	---	(-464)
Office of the Under Secretary of Transportation for Policy.....	(10,331)	(12,362)	(10,331)	---	(-2,031)
Office of the Assistant Secretary for Budget and Programs.....	(14,300)	(14,258)	(14,300)	---	(+42)
Office of the Assistant Secretary for Governmental Affairs.....	(2,546)	(2,994)	(2,546)	---	(-448)
Office of the Assistant Secretary for Administration.....	(29,244)	(29,880)	(29,244)	---	(-636)
Office of Public Affairs.....	(2,142)	(2,163)	(2,142)	---	(-21)
Office of the Executive Secretariat.....	(1,859)	(1,844)	(1,859)	---	(+15)
Office of Intelligence, Security, and Emergency Response.....	(12,181)	(12,392)	(12,181)	---	(-211)
Office of the Chief Information Officer.....	(16,814)	(16,777)	(16,814)	---	(+37)
Research and Technology.....	8,471	22,000	42,948	+34,477	+20,948
National Infrastructure Investments.....	900,000	1,000,000	1,000,000	+100,000	---
National Surface Transportation and Innovative Finance Bureau.....	5,000	4,000	5,000	---	+1,000
Nationally Significant Freight Projects.....	---	1,035,000	---	---	-1,035,000
Financial Management Capital.....	2,000	2,000	2,000	---	---
Cyber Security Initiatives.....	15,000	15,000	15,000	---	---
Office of Civil Rights.....	9,470	9,000	9,470	---	+470

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
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(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Transportation Planning, Research, and Development.....	7,879	8,000	15,879	+8,000	+7,879
Working Capital Fund.....	(319,793)	---	(424,901)	(+105,108)	(+424,901)
Minority Business Resource Center Program.....	500	---	---	-500	---
Small and Disadvantaged Business Utilization and Outreach.....	3,488	3,000	4,646	+1,158	+1,646
Payments to Air Carriers (Airport & Airway Trust Fund)	175,000	125,000	175,000	---	+50,000
Working Capital Fund (legislative proposal) (reappropriation).....	---	12,000	---	---	-12,000
Competitive Grant Execution, General Provision (Section 104).....	---	---	2,052	+2,052	+2,052
<b>Total, Office of the Secretary.....</b>	<b>1,240,718</b>	<b>2,352,993</b>	<b>1,385,905</b>	<b>+145,187</b>	<b>-967,088</b>
Federal Aviation Administration					
Operations.....	10,410,758	10,340,000	10,677,758	+267,000	+337,758
Air traffic organization.....	(7,841,720)	(7,777,357)	(7,841,720)	---	(+64,363)
Aviation safety.....	(1,336,969)	(1,327,779)	(1,603,969)	(+267,000)	(+276,190)
Commercial space transportation.....	(24,949)	(25,598)	(24,949)	---	(-649)
Finance and management.....	(816,398)	(784,832)	(816,398)	---	(+31,566)
NextGen.....	(61,258)	(60,145)	(61,258)	---	(+1,113)
Security and Hazardous Materials Safety.....	(114,165)	(117,694)	(114,165)	---	(-3,529)
Staff offices.....	(215,299)	(246,595)	(215,299)	---	(-31,296)
Facilities and Equipment (Airport & Airway Trust Fund)	3,000,000	3,295,000	3,000,000	---	-295,000
Research, Engineering, and Development (Airport & Airway Trust Fund).....	191,100	120,000	191,100	---	+71,100
Grants-in-Aid for Airports (Airport and Airway Trust Fund)(Liquidation of contract authorization).....	(3,000,000)	(3,000,000)	(3,000,000)	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
(Limitation on obligations).....					
Administration.....	(3,350,000)	(3,350,000)	(3,350,000)	---	---
Airport cooperative research program.....	(112,600)	(112,353)	(112,600)	---	(+247)
Airport technology research.....	(15,000)	(15,000)	(15,000)	---	---
Small community air service development program.....	(33,210)	(33,224)	(33,210)	---	(-14)
Airport Discretionary Grants (General Fund).....	(10,000)	(10,000)	(10,000)	---	---
	500,000	---	500,000	---	+500,000
Total, Federal Aviation Administration.....	14,101,858	13,755,000	14,368,858	+267,000	+613,858
Limitations on obligations.....	(3,350,000)	(3,350,000)	(3,350,000)	---	---
Total budgetary resources.....	(17,451,858)	(17,105,000)	(17,718,858)	(+267,000)	(+613,858)
Federal Highway Administration					
Limitation on Administrative Expenses.....	(449,692)	(453,550)	(453,550)	(+3,858)	---
Federal-Aid Highways (Highway Trust Fund):					
(Liquidation of contract authorization).....	(46,007,596)	(47,104,092)	(47,104,092)	(+1,096,496)	---
(Limitation on obligations).....	(45,268,596)	(46,365,092)	(46,365,092)	(+1,096,496)	---
(Exempt contract authority).....	(739,000)	(739,000)	(739,000)	---	---
Rescission of contract authority (Highway Trust Fund):	---	---	---	---	---
Highway Infrastructure Programs (General Fund).....	3,250,000	300,000	1,750,000	-1,500,000	+1,450,000
Administrative Provisions					
Repurposing unused highway funding (legislative proposal).....	---	---	---	---	---
Rescission of budget authority (legislative proposal):	---	-209,700	---	---	+209,700

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total, Federal Highway Administration.....	3,250,000	90,300	1,750,000	-1,500,000	+1,659,700
Limitations on obligations.....	(45,268,596)	(46,365,092)	(46,365,092)	(+1,096,496)	---
Exempt contract authority.....	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources.....	(49,257,596)	(47,194,392)	(48,854,092)	(-403,504)	(+1,659,700)
Federal Motor Carrier Safety Administration					
Motor Carrier Safety Operations and Programs (Highway Trust Fund)(Liquidation of contract authorization)...	(284,000)	(288,000)	(288,000)	(+4,000)	---
(Limitation on obligations).....	(284,000)	(288,000)	(288,000)	(+4,000)	---
Motor Carrier Safety Grants (Highway Trust Fund) (Liquidation of contract authorization).....	(382,800)	(387,800)	(388,800)	(+6,000)	(+1,000)
(Limitation on obligations).....	(382,800)	(387,800)	(388,800)	(+6,000)	(+1,000)
Total, Federal Motor Carrier Safety Administration.....	(666,800)	(675,800)	(676,800)	(+10,000)	(+1,000)
Limitations on obligations.....	(666,800)	(675,800)	(676,800)	(+10,000)	(+1,000)
Total budgetary resources.....	(666,800)	(675,800)	(676,800)	(+10,000)	(+1,000)
National Highway Traffic Safety Administration					
Operations and Research (general fund).....	190,000	151,000	214,073	+24,073	+63,073
Operations and Research (Highway Trust Fund)					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
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(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
(Liquidation of contract authorization).....	(152,100)	(155,300)	(155,300)	(+3,200)	---
(Limitation on obligations).....	(152,100)	(155,300)	(155,300)	(+3,200)	---
Subtotal, Operations and Research.....	342,100	306,300	309,373	+27,273	+63,073
Highway Traffic Safety Grants (Highway Trust Fund) (Liquidation of contract authorization).....	(610,208)	(623,017)	(623,017)	(+12,809)	---
(Limitation on obligations).....	(610,208)	(623,017)	(623,017)	(+12,809)	---
Highway safety programs (23 USC 402).....	(270,400)	(279,800)	(279,800)	(+9,400)	---
National priority safety programs (23 USC 405).....	(283,000)	(285,900)	(285,900)	(+2,900)	---
High visibility enforcement.....	(30,200)	(30,500)	(30,500)	(+300)	---
Administrative expenses.....	(26,608)	(26,817)	(26,817)	(+209)	---
Administrative Provision					
Impaired Driving/Rail-Grade funding (Sec. 143) (General Fund).....	14,000	---	17,000	+3,000	+17,000
Child safety and booster seat grants (Sec. 144).....	---	---	500	+500	+500
Total, National Highway Traffic Safety Administration.....	204,000	151,000	231,573	+27,573	+80,573
Limitations on obligations.....	(762,308)	(778,317)	(778,317)	(+16,009)	---
Total budgetary resources.....	(966,308)	(929,317)	(1,009,890)	(+43,582)	(+80,573)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
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(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Federal Railroad Administration</b>					
Safety and Operations.....	221,698	213,134	226,698	+5,000	+13,564
Railroad Research and Development.....	40,600	19,000	41,600	+1,000	+22,600
Subtotal.....	262,298	232,134	268,298	+6,000	+36,164
<b>Railroad Rehabilitation and Improvement Financing Program</b>					
Federal-State Partnership for State of Good Repair.....	400,000	---	350,000	-50,000	+350,000
Consolidated Rail Infrastructure and Safety Improvements.....	255,000	330,000	350,000	+95,000	+20,000
Restoration and Enhancement Grants.....	5,000	550,000	---	-5,000	-550,000
Magnetic Levitation Program.....	10,000	---	10,000	---	+10,000
Subtotal.....	670,000	880,000	710,000	+40,000	-170,000
<b>National Railroad Passenger Corporation:</b>					
Northeast Corridor Grants.....	650,000	325,466	700,000	+50,000	+374,534
National Network.....	1,291,600	611,000	1,291,600	---	+680,600
Subtotal.....	1,941,600	936,466	1,991,600	+50,000	+1,055,134

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
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(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Administrative Provisions</b>					
Transportation Technology Center financing (legislative proposal).....	---	100,000	---	---	-100,000
Rail unobligated balances (rescission) (legislative proposal).....	---	-55,726	---	---	+55,726
<b>Total, Federal Railroad Administration.....</b>	<b>2,873,898</b>	<b>2,092,874</b>	<b>2,969,898</b>	<b>+96,000</b>	<b>+877,024</b>
<b>Federal Transit Administration</b>					
Administrative Expenses.....	113,165	110,552	117,000	+3,835	+6,448
Transit Formula Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization)..... (Limitation on obligations).....	(9,900,000) (9,939,380)	(10,800,000) (10,150,348)	(10,800,000) (10,150,348)	(+900,000) (+210,968)	---
Transit Infrastructure Grants.....	700,000	500,000	750,000	+50,000	+250,000
Technical Assistance and Training.....	5,000	---	5,000	---	+5,000
Capital Investment Grants.....	2,552,687	1,505,190	2,301,786	-250,901	+796,596
Grants to the Washington Metropolitan Area Transit Authority.....	150,000	150,000	150,000	---	---
Transit Research (rescission) (legislative proposal).. Transit Formula Grants (rescission) (legislative proposal).....	---	---	---	---	---
	-46,560	---	---	+46,560	---
<b>Total, Federal Transit Administration.....</b>	<b>3,474,292</b>	<b>2,265,742</b>	<b>3,323,786</b>	<b>-150,506</b>	<b>+1,058,044</b>
<b>Limitations on obligations.....</b>	<b>(9,939,380)</b>	<b>(10,150,348)</b>	<b>(10,150,348)</b>	<b>(+210,968)</b>	<b>---</b>



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Total budgetary resources.....	(13,413,672)	(12,416,090)	(13,474,134)	(+60,462)	(+1,058,044)
<hr/>					
Saint Lawrence Seaway Development Corporation					
Operations and Maintenance (Harbor Maintenance Trust Fund).....	36,000	28,000	40,000	+4,000	+12,000
<hr/>					
Maritime Administration					
<hr/>					
Maritime Security Program.....	300,000	300,000	300,000	---	---
Rescission (legislative proposal).....	---	-25,000	---	---	+25,000
Operations and Training.....	149,442	377,497	154,442	+5,000	-223,055
State Maritime Academy Operations.....	345,200	---	345,200	---	+345,200
Assistance to Small Shipyards.....	20,000	---	20,000	---	+20,000
Ship Disposal.....	5,000	5,000	5,000	---	---
<hr/>					
Maritime Guaranteed Loan (Title XI) Program Account: Administrative expenses and guarantees.....	3,000	---	3,000	---	+3,000
Port Infrastructure Development Program.....	292,730	---	225,000	-67,730	+225,000
<hr/>					
Total, Maritime Administration.....	1,115,372	657,497	1,052,642	-62,730	+395,145
<hr/>					
Pipeline and Hazardous Materials Safety Administration					
<hr/>					
Operational Expenses: General Fund.....	23,710	24,215	23,710	---	-505
<hr/>					
Hazardous Materials Safety: General Fund.....	58,000	53,000	61,000	+8,000	+8,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
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(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Pipeline Safety:</b>					
Pipeline Safety Fund.....	134,000	119,000	137,000	+3,000	+18,000
Oil Spill Liability Trust Fund.....	23,000	22,000	23,000	---	+1,000
Underground Natural Gas Storage Facility Safety Fund.....	8,000	8,000	8,000	---	---
Subtotal.....	165,000	149,000	168,000	+3,000	+19,000
<b>Emergency Preparedness Grants:</b>					
Limitation on emergency preparedness fund.....	(28,318)	(28,318)	(28,318)	---	---
<b>Total, Pipeline and Hazardous Materials Safety Administration.....</b>					
Limitations on obligations.....	246,710	226,215	252,710	+6,000	+26,495
	(28,318)	(28,318)	(28,318)	---	---
Total budgetary resources.....	(275,028)	(254,533)	(281,028)	(+6,000)	(+26,495)
<b>Pipeline safety user fees.....</b>					
Underground Natural Gas Storage Facility Safety Fund user fee.....	-134,000	-119,000	-137,000	-3,000	-18,000
	-8,000	-8,000	-8,000	---	---

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	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
Office of Inspector General					
Salaries and Expenses.....	92,600	92,152	96,700	+4,100	+4,548
-----					
General Provisions - Department of Transportation					
Outlay effects of transfer authority (Sec. 189).....					
=====					
Total, title I, Department of Transportation....	26,493,448	21,584,773	25,327,072	-1,166,376	+3,742,299
Appropriations.....	(26,540,008)	(21,875,199)	(25,327,072)	(-1,212,936)	(+3,451,873)
Rescissions.....	(-46,560)	(-265,426)	---	(+46,560)	(+265,426)
=====					
Limitations on obligations.....	(59,987,084)	(61,319,557)	(61,320,557)	(+1,333,473)	(+1,000)
Total budgetary resources.....	(86,480,532)	(82,904,330)	(86,647,629)	(+167,097)	(+3,743,299)
=====					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
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(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive Offices.....	14,900	16,000	14,788	-112	-1,212
Administration Support Offices.....	541,500	556,500	521,500	-20,000	-35,000
Program Office Salaries and Expenses:					
Public and Indian Housing.....	219,800	206,000	230,000	+10,200	+24,000
Community Planning and Development.....	112,344	114,000	117,000	+4,656	+3,000
Housing.....	382,500	399,000	386,144	+3,644	-12,856
Policy Development and Research.....	26,000	26,000	26,000	---	---
Fair Housing and Equal Opportunity.....	72,900	73,000	80,000	+7,100	+7,000
Office of Lead Hazard Control and Healthy Homes.....	8,600	9,000	10,000	+1,400	+1,000
Subtotal.....	822,144	827,000	849,144	+27,000	+22,144
Total, Management and Administration.....	1,378,544	1,399,500	1,385,432	+6,888	-14,068
Public and Indian Housing					
Tenant-based Rental Assistance:					
Renewals.....	20,313,000	20,115,541	21,400,000	+1,087,000	+1,284,459
Tenant protection vouchers.....	85,000	130,000	150,000	+65,000	+20,000
Administrative fees.....	1,886,000	1,738,459	1,925,000	+39,000	+186,541
Sec. 811 vouchers, incremental and renewals.....	225,000	259,500	225,000	---	-34,500
Incremental VASH vouchers.....	40,000	---	40,000	---	+40,000
Tribal veterans affairs supportive housing renewals.....	4,000	---	5,000	+1,000	+5,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
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(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Incremental family unification vouchers.....	20,000	---	40,000	+20,000	+40,000
Mobility Demonstration.....	25,000	---	25,000	---	+25,000
Subtotal (available this fiscal year).....	22,598,000	22,243,500	23,810,000	+1,212,000	+1,566,500
Advance appropriations.....	4,000,000	4,000,000	4,000,000	---	---
Less appropriations from prior year advances.....	-4,000,000	-4,000,000	-4,000,000	---	---
Rescission.....	---	-6,000	---	---	+6,000
<b>Total, Tenant-based Rental Assistance appropriated in this bill.....</b>	<b>22,598,000</b>	<b>22,237,500</b>	<b>23,810,000</b>	<b>+1,212,000</b>	<b>+1,572,500</b>
Rental Assistance Demonstration.....	---	100,000	---	---	-100,000
Public Housing Capital Fund.....	2,775,000	---	2,855,057	+80,057	+2,855,057
Public Housing Operating Fund.....	4,653,116	2,863,000	4,753,116	+100,000	+1,890,116
Choice Neighborhoods.....	150,000	---	300,000	+150,000	+300,000
Family Self-Sufficiency.....	80,000	75,000	---	-80,000	-75,000
Family Self-Sufficiency Programs.....	---	---	150,000	+150,000	+150,000
ROSS.....	---	---	(100,000)	(+100,000)	(+100,000)
Jobs Plus.....	---	---	(35,000)	(+35,000)	(+35,000)
Native American Housing Block Grants.....	755,000	600,000	(15,000)	(+15,000)	(+15,000)
Native American Programs.....	---	---	855,000	+855,000	+855,000
Native American Housing Block Grants, Formula.....	---	---	(671,000)	(+671,000)	(+671,000)
Title VI Loan Program.....	---	---	(2,000)	(+2,000)	(+2,000)
Native American Housing Block Grants, Competitive.....	---	---	(100,000)	(+100,000)	(+100,000)
Indian CDBG.....	---	---	(75,000)	(+75,000)	(+75,000)
Training and Technical Assistance.....	---	---	(7,000)	(+7,000)	(+7,000)
Indian Housing Loan Guarantee Fund Program Account.....	1,440	2,500	2,500	+1,060	---
Spending of prior year balances.....	---	---	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
(Limitation on guaranteed loans).....	(553,846)	(1,000,000)	(1,000,000)	(+446,154)	---
Native Hawaiian Housing Block Grant.....	2,000	---	2,500	+500	+2,500
Native Hawaiian Loan Guarantee Fund Program Account.....	---	---	---	---	---
<b>Total, Public and Indian Housing.....</b>	<b>31,014,556</b>	<b>25,878,000</b>	<b>32,728,173</b>	<b>+1,713,617</b>	<b>+6,850,173</b>
Community Planning and Development					
Housing Opportunities for Persons with AIDS.....	393,000	330,000	410,000	+17,000	+80,000
Community Development Fund:					
CDBG formula.....	3,300,000	---	3,600,000	+300,000	+3,600,000
Indian CDBG.....	65,000	---	---	-65,000	---
<b>Subtotal.....</b>	<b>3,365,000</b>	<b>---</b>	<b>3,600,000</b>	<b>+235,000</b>	<b>+3,600,000</b>
Community Development Loan Guarantees (Section 108):					
(Limitation on guaranteed loans).....	(300,000)	---	(300,000)	---	(+300,000)
HOME Investment Partnerships Program.....	1,250,000	---	1,750,000	+500,000	+1,750,000
Self-help and Assisted Homeownership Opportunity Program.....	54,000	---	55,000	+1,000	+55,000
Homeless Assistance Grants.....	2,636,000	2,598,600	2,800,000	+164,000	+201,400
<b>Total, Community Planning and Development.....</b>	<b>7,698,000</b>	<b>2,928,600</b>	<b>8,615,000</b>	<b>+917,000</b>	<b>+5,686,400</b>
Housing Programs					
Project-based Rental Assistance: Renewals.....	11,502,000	11,676,000	12,245,000	+743,000	+569,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Contract administrators.....	245,000	345,000	345,000	+100,000	---
Subtotal (available this fiscal year).....	11,747,000	12,021,000	12,590,000	+843,000	+569,000
Advance appropriations.....	400,000	400,000	400,000	---	---
Less appropriations from prior year advances.....	-400,000	-400,000	-400,000	---	---
Rescission (legislative proposal).....	---	-1,000	---	---	+1,000
Total, Project-based Rental Assistance appropriated in this bill.....	11,747,000	12,020,000	12,590,000	+843,000	+570,000
Housing for the Elderly.....	678,000	644,000	803,000	+125,000	+159,000
Housing for Persons with Disabilities.....	184,155	157,000	258,510	+74,355	+101,510
Housing Counseling Assistance.....	50,000	45,000	60,000	+10,000	+15,000
Rental Housing Assistance.....	5,000	3,000	3,000	-2,000	---
Manufactured Housing Fees Trust Fund.....	12,000	12,000	12,400	+400	+400
Offsetting collections.....	-12,000	-12,000	-12,400	-400	-400
Total, Housing Programs.....	12,664,155	12,869,000	13,714,510	+1,050,355	+845,510
Federal Housing Administration					
Mutual Mortgage Insurance Program Account:					
(Limitation on guaranteed loans).....	(400,000,000)	(400,000,000)	(400,000,000)	---	---
(Limitation on direct loans).....	(1,000)	(1,000)	(1,000)	---	---
Offsetting receipts.....	-6,930,000	-5,649,000	-5,649,000	+1,281,000	---
Additional offsetting receipts (Sec. 223).....	---	-20,000	---	---	+20,000
Administrative contract expenses.....	130,000	150,000	130,000	---	-20,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
General and Special Risk Program Account:					
(Limitation on guaranteed loans).....	(30,000,000)	(30,000,000)	(30,000,000)	---	---
(Limitation on direct loans).....	(1,000)	(1,000)	(1,000)	---	---
Offsetting receipts.....	-620,000	-602,000	-602,000	+18,000	---
Total, Federal Housing Administration.....	-7,420,000	-6,121,000	-6,121,000	+1,299,000	---
Government National Mortgage Association					
Guarantees of Mortgage-backed Securities Loan Guarantee Program Account:					
(Limitation on guaranteed loans).....	(550,000,000)	(550,000,000)	(550,000,000)	---	---
Administrative expenses.....	27,000	28,400	27,000	---	-1,400
Offsetting receipts.....	-104,000	-132,000	-132,000	-28,000	---
Offsetting receipts.....	-1,900,000	-1,050,000	-1,050,000	+850,000	---
Additional contract expenses.....	1,000	---	1,000	---	+1,000
Total, Gov't National Mortgage Association.....	-1,976,000	-1,153,600	-1,154,000	+822,000	-400
Policy Development and Research					
Research and Technology.....	96,000	87,000	98,000	+2,000	+11,000
Fair Housing and Equal Opportunity					
Fair Housing Activities.....	65,300	62,300	75,300	+10,000	+13,000



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Office of Lead Hazard Control and Healthy Homes</b>					
Lead Hazard Reduction.....	279,000	290,000	290,000	+11,000	---
Cybersecurity and Information Technology Fund.....	280,000	280,000	300,000	+20,000	+20,000
Office of Inspector General.....	128,082	129,400	132,489	+4,407	+3,089
<b>General Provisions -- Department of Housing and Urban Development</b>					
Unobligated balances (rescission).....	-99	---	---	+99	---
<b>Total, title II, Department of Housing and Urban Development.....</b>					
Appropriations.....	44,207,538	36,649,200	50,063,904	+5,856,366	+13,414,704
Advance appropriations.....	(49,373,637)	(39,721,200)	(53,109,304)	(+3,735,667)	(+13,388,104)
Offsetting receipts.....	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting collections.....	(-9,554,000)	(-7,453,000)	(-7,433,000)	(+2,121,000)	(+20,000)
(Limitation on direct loans).....	(2,000)	(2,000)	(2,000)	(-400)	(-400)
(Limitation on guaranteed loans).....	(980,853,846)	(981,000,000)	(981,300,000)	(+446,154)	(+300,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - OTHER INDEPENDENT AGENCIES					
Access Board.....	8,400	8,400	8,400	---	---
Federal Maritime Commission.....	27,490	28,000	28,000	+510	---
National Railroad Passenger Corporation Office of Inspector General.....	23,274	23,274	23,274	---	---
National Transportation Safety Board.....	110,400	110,400	110,400	---	---
Neighborhood Reinvestment Corporation.....	152,000	27,400	170,000	+18,000	+142,600
Surface Transportation Board.....	37,100	37,100	37,100	---	---
Offsetting collections.....	-1,250	-1,250	-1,250	---	---
Subtotal.....	35,850	35,850	35,850	---	---
United States Interagency Council on Homelessness.....	3,600	730	4,100	+500	+3,370
Total, title III, Other Independent Agencies....	361,014	234,054	380,024	+19,010	+145,970
TITLE IV - GENERAL PROVISIONS - THIS ACT					
Railroad Rehabilitation and Improvement Financing Subsidy Reimbursement.....	17,000	---	---	-17,000	---
Total, title IV, General Provisions This Act....	17,000	---	---	-17,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
OTHER APPROPRIATIONS					
SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2018 (P.L. 115-254 Division I)					
Community Development Fund (emergency).....	1,680,000	---	---	-1,680,000	---
ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF ACT, 2019					
DEPARTMENT OF TRANSPORTATION					
Federal Highway Administration					
Emergency Relief Program (emergency).....	1,650,000	---	---	-1,650,000	---
Federal Transit Administration					
Public Transportation Emergency Relief Program (emergency).....	10,542	---	---	-10,542	---
Total, Department of Transportation.....	1,660,542	---	---	-1,660,542	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Community Planning and Development					
Community Development Fund (emergency)	2,431,000	---	---	-2,431,000	---
Total, Additional Supplemental Appropriations for Disaster Relief Act, 2019	4,091,542	---	---	-4,091,542	---
Total, Other Appropriations	5,771,542	---	---	-5,771,542	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	76,850,542	58,468,027	75,771,000	-1,079,542	+17,302,973
Appropriations.....	(76,292,909)	(61,831,703)	(76,817,650)	(+2,524,741)	(+16,985,947)
Rescissions.....	(46,659)	(-265,426)	---	(+46,659)	(+265,426)
Rescissions of emergency funding.....	---	(-7,000)	---	---	(+7,000)
Emergency appropriations.....	(5,771,542)	---	---	(-5,771,542)	---
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting receipts.....	(-9,554,000)	(-7,453,000)	(-7,433,000)	(+2,121,000)	(+20,000)
Offsetting collections.....	(-13,250)	(-13,250)	(-13,650)	(-400)	(-400)
(Limitation on obligations).....	(59,987,084)	(61,319,557)	(61,320,557)	(+1,333,473)	(+1,000)
Total budgetary resources.....	(136,837,626)	(119,787,584)	(137,091,557)	(+253,931)	(+17,303,973)

## FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

## Roll Call 1

Date: June 4, 2019

Measure: Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, FY20

Motion by: Mr. Womack

Description of Motion: Strike sections 133, 134, and 135, relating to Federal Motor Carrier Safety Administration authorities.

Results: Defeated 22 yeas to 29 nays

*Members Voting Yea*

Mr. Aderholt  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Cuellar  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Mr. Hurd  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rutherford  
Mr. Simpson  
Mr. Stewart  
Mr. Womack

*Members Voting Nay*

Mr. Aguilar  
Mr. Bishop  
Mrs. Bustos  
Mr. Cartwright  
Mr. Case  
Ms. Clark  
Mr. Crist  
Ms. DeLauro  
Ms. Frankel  
Ms. Kaptur  
Mr. Kilmer  
Mrs. Kirkpatrick  
Mrs. Lawrence  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppberger  
Mr. Ryan  
Mr. Serrano  
Mrs. Torres  
Mr. Visclosky  
Ms. Wasserman Schultz  
Mrs. Watson Coleman

## FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

## Roll Call 2

Date: June 4, 2019

Measure: Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, FY20

Motion by: Mr. Simpson

Description of Motion: Strike section 192, regarding certain grants to the California High Speed Rail Authority.

Results: Defeated 21 yeas to 29 nays

*Members Voting Yea*

Mr. Aderholt  
 Mr. Calvert  
 Mr. Carter  
 Mr. Cole  
 Mr. Diaz-Balart  
 Mr. Fleischmann  
 Mr. Fortenberry  
 Ms. Granger  
 Mr. Graves  
 Dr. Harris  
 Mr. Hurd  
 Mr. Joyce  
 Mr. Moolenaar  
 Mr. Newhouse  
 Mr. Palazzo  
 Mrs. Roby  
 Mr. Rogers  
 Mr. Rutherford  
 Mr. Simpson  
 Mr. Stewart  
 Mr. Womack

*Members Voting Nay*

Mr. Aguilar  
 Mr. Bishop  
 Mrs. Bustos  
 Mr. Cartwright  
 Mr. Case  
 Ms. Clark  
 Mr. Crist  
 Mr. Cuellar  
 Ms. DeLauro  
 Ms. Frankel  
 Ms. Kaptur  
 Mr. Kilmer  
 Mrs. Kirkpatrick  
 Ms. Lee  
 Mrs. Lowey  
 Ms. McCollum  
 Ms. Meng  
 Ms. Pingree  
 Mr. Pocan  
 Mr. Price  
 Mr. Quigley  
 Ms. Roybal-Allard  
 Mr. Ruppertsberger  
 Mr. Ryan  
 Mr. Serrano  
 Mrs. Torres  
 Mr. Visclosky  
 Ms. Wasserman Schultz  
 Mrs. Watson Coleman

## FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

## Roll Call 3

Date: June 4, 2019

Measure: Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, FY20

Motion by: Ms. Kaptur

Description of Motion: Motion to report the Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill to the House, as amended.

Results: Adopted 29 yeas to 21 nays

*Members Voting Yea*

Mr. Aguilar  
 Mr. Bishop  
 Mrs. Bustos  
 Mr. Cartwright  
 Mr. Case  
 Ms. Clark  
 Mr. Crist  
 Mr. Cuellar  
 Ms. DeLauro  
 Ms. Frankel  
 Ms. Kaptur  
 Mr. Kilmer  
 Mrs. Kirkpatrick  
 Ms. Lee  
 Mrs. Lowey  
 Ms. McCollum  
 Ms. Meng  
 Ms. Pingree  
 Mr. Pocan  
 Mr. Price  
 Mr. Quigley  
 Ms. Roybal-Allard  
 Mr. Ruppertsberger  
 Mr. Ryan  
 Mr. Serrano  
 Mrs. Torres  
 Mr. Visclosky  
 Ms. Wasserman Schultz  
 Mrs. Watson Coleman

*Members Voting Nay*

Mr. Aderholt  
 Mr. Calvert  
 Mr. Carter  
 Mr. Cole  
 Mr. Diaz-Balart  
 Mr. Fleischmann  
 Mr. Fortenberry  
 Ms. Granger  
 Mr. Graves  
 Dr. Harris  
 Mr. Hurd  
 Mr. Joyce  
 Mr. Moolenaar  
 Mr. Newhouse  
 Mr. Palazzo  
 Mrs. Roby  
 Mr. Rogers  
 Mr. Rutherford  
 Mr. Simpson  
 Mr. Stewart  
 Mr. Womack



## MINORITY VIEWS

We appreciate that the Transportation, Housing and Urban Development, and Related Agencies bill supports several programs and policies that are priorities for Members on both sides of the aisle. In addition, we commend the majority for continuing to work in a collaborative manner on a wide range of initiatives in this bill. This spirit of cooperation will enable the Committee to continue to improve this bill as it moves through the legislative process.

We are pleased that the majority has included funding for several programs to improve our nation's transportation infrastructure. These investments will help facilitate the movement of American goods, both domestically and internationally, and will improve the safety of the traveling public.

We commend the majority for including funding for grant programs that will directly benefit states and local communities, including significant funding for Better Utilizing Investment to Leverage Development (BUILD), airport, highway, rail, and transit grants. We are particularly pleased that the majority included funding for port infrastructure and marine highways, which will facilitate transport of cargo domestically and internationally.

The bill includes a provision exempting agriculture haulers from electronic logging device requirements. This common-sense regulatory relief will create benefits across multiple sectors of the agricultural economy.

We appreciate that the bill allocates funds to ensure that vulnerable citizens continue to have opportunities for safe, affordable housing. In particular, we are pleased that the bill includes funding for the mobility voucher program, which helps families move to neighborhoods with greater economic and educational opportunities, as well as funding for vouchers for persons with disabilities.

We object to the inclusion of provisions that prohibit the Department of Transportation from establishing uniform rules for commercial motor vehicles (Section 133); require the Department of Transportation to publish flawed Compliance, Safety, Accountability data on motor carrier enforcement (Section 134); and prevent the Department of Transportation from providing targeted relief to commercial motor vehicle hours of service requirements (Section 135).

We also oppose the inclusion of a prohibition that prevents the Department of Transportation from finalizing or enforcing the Safer Affordable Fuel-Efficient Vehicles Rule or any successor rule. This would leave in place a rule that would drive up costs for consumers and compromise public safety.

We have serious concerns about a provision that would limit the Department of Transportation's ability to recover and reallocate funds from the California High Speed Rail Authority, even though

the grantee has failed to meet the terms of its grant agreement (Section 192).

Our primary concern, however, is that this bill has been written with an unrealistic allocation and without a budget agreement that sets responsible caps for fiscal year 2020 discretionary spending. The bill's allocation is nearly seven percent above the fiscal year 2019 enacted level. This is an irresponsible and unsustainable spending increase. We look forward to working with the majority to modify this bill once a responsible top line budget agreement is enacted for fiscal year 2020.

KAY GRANGER.  
MARIO DIAZ-BALART.

