EXPLANATORY STATEMENT FOR THE DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2021

OVERVIEW AND SUMMARY OF THE BILL

The Transportation, Housing and Urban Development, and Related Agencies appropriations bill provides funding for a wide array of Federal programs, mostly in the Departments of Transportation [DOT] and Housing and Urban Development [HUD]. The programs and activities supported by this bill include significant responsibilities entrusted to the Federal Government and its partners to protect human health and safety, support a vibrant economy, and achieve policy objectives strongly supported by the American people. These programs include investments in road, transit, rail, maritime, pipeline, aviation and airport infrastructure; the operation of the Nation's air traffic control system; resources to support community and economic development activities; and housing assistance for those most in need, including the elderly, disabled, and people experiencing homelessness. The bill also provides funding for the Federal Housing Administration and the Government National Mortgage Association to continue their traditional roles of providing access to affordable homeownership in the United States.

This bill makes possible the operation of the interstate highway system, as well as the world's safest, most complex air transportation system. This bill also includes funding for competitive grants to communities to support transformative transportation infrastructure projects of national or regional importance. It ensures safe and sanitary housing for nearly five million low and extremely low-income families and individuals, over half of whom are elderly and/or disabled. It provides funding that is leading to the gradual elimination of homelessness among veterans, youth, victims of domestic violence, individuals and families.

The bill, as reported, provides the proper balance of funding for transportation, housing, and community development programs and activities. It is consistent with the subcommittee's allocation for fiscal year 2021. All accounts in the bill have been closely examined to ensure that a sufficient level of funding is provided to carry out the programs and activities of DOT, HUD, and related agencies. Details on each of the accounts and the Committee's justifications for the funding levels are included in the explanatory statement.

The Committee is aware of the impact the COVID-19 pandemic has had on agency operations across the Federal Government. To date, Congress has provided over $2.9 trillion in emergency supplemental relief in order to prevent, prepare for, and respond to COVID-19. The Committee continues to monitor agency needs directly related to COVID-19 and, to the extent necessary, will seek to address them in future supplemental appropriations vehicles. Accordingly, funding provided in the Committee's regular fiscal year 2021 appropriations bills is focused on annual funding needs unrelated to the COVID-19 pandemic.

Fiscal year 2020 levels cited in this explanatory statement reflect the enacted amounts in Public Law 116–94, the Consolidated Appropriations Act, 2020, adjusted for comparability where noted, and do not include fiscal year 2020 supplemental appropriations. Accordingly, any comparisons to fiscal year 2020 do not reflect fiscal year 2020 supplemental appropriations. Fiscal year 2020 supplemental appropriations are included in the comparative statement of new budget authority at the end of this explanatory statement under the heading "Other Appropriations".

PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2021, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, with respect to appropriations contained in the accompanying bill, the terms "program, project, and activity" [PPA] shall mean any item for which a dollar amount is contained in appropriations acts (including joint resolutions providing continuing appropriations), accompanying reports or explanatory statements 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.

REPROGRAMMING GUIDELINES

The Committee includes provisions (sections 237, 238, and 405) establishing the authority by which funding available to the agencies funded by this act may be reprogrammed for other purposes. These provisions specifically require the advanced approval of the House and Senate Committees on Appropriations of any proposal to reprogram funds that:

—creates a new program;

—eliminates a PPA;

—increases funds or personnel for any PPA for which funds have been denied or restricted by the Congress;

—proposes to redirect funds that were directed in such reports or explanatory statements 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 explanatory statement, whichever is more detailed. This direction applies to both the bill and accompanying explanatory statement.

The Committee retains the requirement that each agency submit an operating plan to the House and Senate Committees on Appropriations not later than 60 days after enactment of this act to establish the baseline for application of reprogramming and transfer authorities provided in this act. Specifically, each agency should provide a table for each appropriation with columns displaying the prior year enacted level; budget request; adjustments made by Congress; adjustments for rescissions, if appropriate; and the fiscal year enacted level. The table shall delineate the appropriation and prior year enacted level both by object class and by PPA, as detailed in this act, accompanying reports and explanatory statements of the House and Senate Committee on Appropriations, or in the budget appendix for the respective appropriations, whichever is more detailed, and shall apply to all items for which a dollar amount is specified and to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants and discretionary grant allocations. The report must also identify items of special congressional interest.

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

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

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

CONGRESSIONAL BUDGET JUSTIFICATIONS

Budget justifications are the primary tool used by the House and Senate Committees on Appropriations to evaluate the resource requirements and fiscal needs of agencies. The Committee is aware that the format and presentation of budget materials is largely left to the agency within presentation objectives set forth by the Office of Management and Budget [OMB]. In fact, OMB Circular A–11, part 6 specifically states that the "agency should consult with your congressional committees beforehand to ensure their awareness of your plans to modify the format of agency budget documents." The

Committee expects that all agencies funded under this act will heed this directive. The Committee expects all of the budget justifications to provide the data needed to make appropriate and meaningful funding decisions.

While the Committee values the inclusion of performance data and presentations, it is important to ensure vital budget information that the Committee needs is not lost. Therefore, the Committee directs that justifications submitted with the fiscal year 2022 budget request by agencies funded under this act contain the customary level of detailed data and explanatory statements to support the appropriations requests at the level of detail contained in the funding table included at the end of the explanatory statement. Among other items, agencies shall provide a detailed discussion of proposed new initiatives, proposed changes in the agency's financial plan from prior year enactment, and detailed data on all programs and comprehensive information on any office or agency restructurings. At a minimum, each agency must also provide adequate justification for funding and staffing changes for each individual office and materials that compare programs, projects, and activities that are proposed for fiscal year 2022 to the fiscal year 2021 enacted level.

The Committee is aware that the analytical materials required for review by the Committee are unique to each agency in this act. Therefore, the Committee expects that 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 2022 budget request.

The Committee directs each agency to include within its budget justification a report on all efforts made to address the programmatic duplication identified by the annual Government Accountability Office [GAO] reports along with legal barriers preventing the agency's ability to further reduce duplication and legislative recommendations, if applicable.

TRANSPARENCY REQUIREMENT

The Committee is aware that agencies funded in this act use resources for advertising purposes. The Committee directs the agencies in this act to state within the text, audio, or video used for new advertising purposes, including advertising/posting on the Internet, that the advertisements are printed, published, or produced and disseminated at U.S. taxpayer expense. The agencies may exempt any such advertisements from this requirement if it creates an adverse impact on safety or impedes the ability of these agencies to carry out their statutory authority.

The Committee remains interested in increasing transparency and accountability of Federal grant spending. The Departments of Labor, Health and Human Services, and Education are directed by the Stevens Amendment, Section 505 of title V, Division H of Public Law 115–141, to require grantees to include the total cost of the project, the percentage of Federal funds in the project or program, and identify all of the sources of funding for the total project or program in all public documents announcing the grant award. The Committee directs agencies to collect data on what information Federal grant recipients currently include in the public documents announcing the grant award to determine whether recipients of funding in this act could comply with the Stevens Amendment without unreasonable burden. The Committee expresses appreciation for the Department that has submitted the report and reminds the remaining Department to provide the report required in fiscal year 2020 on the feasibility of complying with the Stevens Amendment.

The Committee is concerned about Federal agencies executing contracts with certain independent financial auditing and audit remediation firms that have been penalized for poor auditing practices. The Committee believes that all firms contracting with departments and agencies, funded in this act, particularly for financial auditing and accounting services, should have qualified professionals and ethics, and integrity controls in place to ensure they are in compliance with Federal accounting and procurement standards. For all contract actions (including awards, renewals, and amendments), departments and agencies provided funding in this act shall require any accounting firm providing financial auditing or audit remediation services to provide a statement setting forth the details of any disciplinary proceedings occurring within 1 year of the projected performance period related to noncompliance with rules or laws applying to audit services.

DATA ACT COMPLIANCE

As stewards of taxpayer dollars, the subcommittee is responsible for ensuring that the funds under its jurisdiction are wisely invested and properly spent. The Committee expects agencies to prioritize the submission of timely, accurate, quality, and complete financial and award information under existing U.S. Treasury reporting obligations in accordance with established management guidance, reporting processes, and data standards established under the requirements of the Digital Accountability and Transparency Act (Public Law 113–101).

CYBERSECURITY

Foreign adversaries are seeking to lay the groundwork for the cyber battles of the future by embedding their technologies in systems we depend on. The United States should take proactive steps to deny foreign government access to our networks, sensitive data, and the personal information of the American people. In particular, the Committee remains concerned about the growing national security threat posed by Chinese telecommunications components embedded in networks, systems, and devices that we rely on for critical infrastructure and our daily lives. Therefore, the Committee continues to support the ban included in section 889 of Public Law 115–232 that prohibits government agencies from buying certain telecommunications and video surveillance services or equipment.

FEDERALLY FUNDED RESEARCH

The Committee urges DOT and HUD to affirmatively determine, justified in writing, and made available on a publicly accessible website, that research grants or agreements promote the progress of science in the United States or will advance a national security or economic interest.

TITLE I

DEPARTMENT OF TRANSPORTATION

Surface Transportation Reauthorization.—The Fixing America's Surface Transportation [FAST] Act (Public Law 114–94) provided long-term funding certainty and policy direction for our Nation's highways, transit, rail, safety, and hazmat programs for 5 years. The Continuing Appropriations Act, 2021 and other Extensions Act (Public Law 116–159) extended the FAST Act authorities through September 30, 2021, and provided a $13,600,000,000 transfer from the general fund to the highway trust fund [HTF] in order to preserve the solvency of the HTF for the fiscal year. While Congress continues its work to enact a long term surface transportation reauthorization bill, the Committee directs the Department to provide regular updates to Congress on the status of the HTF and to continue working with the appropriate committees to reauthorize surface transportation programs in order to provide long-term stability for the States.

OFFICE OF THE SECRETARY

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

SALARIES AND EXPENSES

Appropriations, 2020	$115,490,000
Budget estimate, 2021	127,374,000
Committee recommendation	122,274,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends a total of $122,274,000 for salaries and expenses of OST, including $70,000 for reception and representation expenses. The recommendation is $5,100,000 less than the budget request and $6,784,000 more than the fiscal year 2020 enacted level. The accompanying bill stipulates that none of the funding provided may be used for the position of Assistant Secretary for Public Affairs.

The accompanying bill authorizes the Secretary to transfer up to 7 percent of the funds from any office within the Office of the Secretary to another. The Committee recommendation also continues language that permits up to $2,500,000 of fees to be credited to the Office of the Secretary for salaries and expenses.

Transfers.—The Committee recommendation does not include the budget request to transfer eight positions from the operating administrations [OAs] to OST Office of Public Affairs and nine positions from the OAs to the OST Office of Assistant Secretary for Government Affairs. The Department may submit a reprogramming request and seek approval from the House and Senate Committees on Appropriations, consistent with the requirements of section 405 of this bill. The reprogramming request must include details on the specific title of the positions to be transferred; a plan on how OAs will continue to communicate and work with Congress, stakeholders, and constituents; the benefits of transferring these positions; and an explanation of how this organizational realignment will improve transparency, accountability, and modal expertise outside of the OA framework.

The following table summarizes the Committee's recommendation in comparison to the fiscal year 2020 enacted level and the budget request:

	Fiscal year—		Committee recommendation
	2020 enacted	2021 estimate	
Office of the Secretary	$3,100,000	....	$3,346,000
Office of the Deputy Secretary	1,000,000	....	1,115,000
Office of the General Counsel	21,000,000	....	22,200,000
Office of the Under Secretary for Policy	10,500,000	....	11,064,000
Office of the Assistant Secretary for Budget and Programs	15,000,000	....	16,376,000
Office of the Assistant Secretary for Governmental Affairs	2,650,000	....	2,894,000
Office of the Assistant Secretary for Administration	29,244,000	....	30,090,000
Office of Public Affairs	2,142,000	....	2,432,000
Office of the Executive Secretariat	1,859,000	....	2,008,000
Office of Intelligence, Security, and Emergency Response	12,181,000	....	13,256,000
Office of the Chief Information Officer	16,814,000	....	17,493,000
Total	115,490,000	127,374,000	122,274,000

IMMEDIATE OFFICE OF THE SECRETARY

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $3,346,000 for fiscal year 2021 for the Immediate Office of the Secretary. The recommendation is $246,000 more than the fiscal year 2020 enacted level. The Committee directs the Department to abide by both the will and intent of Congress in all funding and policy decisions, and to consult with the House and Senate Committees on Appropriations prior to issuing all notices of funding opportunities.

Preclearance.—Improving the flow of passengers and traffic between the United States and Canada is essential to the economy of both nations. The Committee expects the Federal Aviation Administration [FAA], Federal Railroad Administration [FRA], and the National Passenger Railroad Corporation [Amtrak] to comply with the U.S.-Canada Agreement on Land, Rail, Marine, and Air Transport Preclearance to facilitate air travel and passenger rail service between United States and Canadian cities. The Committee directs DOT agencies that have a role in implementing preclearance operations on the four specific sites announced by the United States and Canada on March 10, 2016, to facilitate their preclearance facilities development as expeditiously as possible. DOT will coordinate efforts between the FAA, FRA, and Amtrak. The Committee notes that it previously directed DOT to report on its progress on preclearance and awaits this report.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $1,115,000 for the Immediate Office of the Deputy Secretary, which is $115,000 more than the fiscal year 2020 enacted level.

OFFICE OF THE GENERAL COUNSEL

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $22,200,000 for expenses of the Office of the General Counsel for fiscal year 2021. The recommended funding level is $1,200,000 more than the fiscal year 2020 enacted level.

In-Flight Sexual Misconduct Task Force.—The Committee understands that on March 16, 2020, the national in-flight sexual misconduct task force provided its findings and recommendations to the Department's aviation consumer protection advisory committee [ACPAC] regarding sexual misconduct onboard aircraft in accordance with the requirements of Public Law 115–254. The Committee reminds the Department of the requirement to provide an implementation plan to Congress within 180 days of ACPAC's recommendations to the Secretary. The Department should provide any briefings upon request on implementation of the plan and timing of subsequent rulemaking(s).

OFFICE OF THE UNDER SECRETARY FOR POLICY

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $11,064,000 for the Office of the Under Secretary for Policy. The recommended funding level is $564,000 more than the fiscal year 2020 enacted level.

Privacy Concerns Regarding Real-time Location Data.—The Committee is aware of concerns with increasing government collection of precise geolocation data from mobility platforms. Local governments have started to require real-time location data information from digitally-connected mobility providers, which could include the precise, timestamped global positioning system [GPS] coordinates of individuals as they travel, including where they begin their trip, where they arrive, which route they took, any stops they take on the way, and the duration of their travel. This information can be susceptible to re-identification, and when provided on a real-time basis, carries significant risks to privacy and personal security. While there is a legitimate need for cities to have data on the overall number and use of transportation services in the aggregate, States and cities must protect the privacy of consumers who choose these mobility options. The Committee directs the Department to require recipients of Federal funds, to the extent permitted by law, to submit and make publicly available a privacy policy regarding the collection, use, sharing, and protection of geolocation information. The Committee directs the Department to develop a public resource of best practices for privacy positive approaches for geolocation data in transportation.

Implementation of National Transportation Safety Board [NTSB] Recommendations.—While the Department has taken actions to improve transportation safety, the Committee is aware of several recommendations from the NTSB that have yet to be implemented, such as mandatory assessments of autonomous vehicles and terrain awareness systems for all commercial helicopters. The Committee directs the Department to continue to provide a regulatory status of each recommendation on the NTSB's "most wanted list", as required by section 1135(e) of title 49, United States Code.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

PROGRAM DESCRIPTION

The Assistant Secretary for Budget and Programs serves as the Chief Financial Officer for the Department and provides leadership on all financial management matters. The primary responsibilities of this office include ensuring the development and justification of the Department's annual budget submissions for consideration by the Office of Management and Budget and the Congress. The Office is also responsible for the proper execution and accountability of these resources. In addition, the Office of the Chief Financial Officer for the Office of the Secretary is located within the Office of the Assistant Secretary for Budget and Programs.

COMMITTEE RECOMMENDATION

The Committee recommends $16,376,000 for the Office of the Assistant Secretary for Budget and Programs. The recommended level is $1,376,000 more than the fiscal year 2020 enacted level. The Committee recommendation includes one additional full-time equivalent [FTE] as requested in the budget.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends a total of $2,894,000 for the Office of the Assistant Secretary for Governmental Affairs. The recommended level is $244,000 more than the fiscal year 2020 enacted level.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $30,090,000 for the Office of the Assistant Secretary for Administration. The recommended funding level is $846,000 more than the fiscal year 2020 enacted level.

OFFICE OF PUBLIC AFFAIRS

PROGRAM DESCRIPTION

The Director of Public Affairs is the principal advisor to the Secretary and other senior departmental officials on public affairs questions. The Office is responsible for managing the Secretary's presence in the media, writing speeches and press releases, and preparing the Secretary for public appearances. The Office arranges media events and news conferences, and responds to media inquiries on the Department's programs and other transportation-related issues. It also provides information to the Secretary on the opinions and reactions of the public and news media on these programs and issues.

COMMITTEE RECOMMENDATION

The Committee recommends $2,432,000 for the Office of Public Affairs, which is $290,000 more than the fiscal year 2020 enacted level.

EXECUTIVE SECRETARIAT

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $2,008,000 for the Executive Secretariat. The recommendation is $149,000 more than the fiscal year 2020 enacted level.

OFFICE OF INTELLIGENCE, SECURITY, AND EMERGENCY RESPONSE

PROGRAM DESCRIPTION

The Office of Intelligence, Security, and Emergency Response ensures the development, coordination, and execution of plans and procedures for the Department to balance transportation security requirements with the safety, mobility, and economic needs of the Nation. The office keeps the Secretary and her advisors apprised of current developments and long-range trends in international issues, including terrorism, aviation, trade, transportation markets, and trade agreements. The office also advises the Department's leaders on policy issues related to intelligence, threat information sharing, national security strategies, and national preparedness and response planning.

To ensure the Department is able to respond to disasters, the office prepares for and coordinates the Department's participation in national and regional exercises and training for emergency personnel. The office also administers the Department's continuity of government and continuity of operations programs and initiatives. Additionally, the office provides direct emergency response and recovery support through the national response framework and operates the Department's crisis management center. The center monitors the Nation's transportation system 24 hours a day, 7 days a week, and is the Department's focal point during emergencies.

COMMITTEE RECOMMENDATION

The Committee recommends $13,256,000 for the Office of Intelligence, Security, and Emergency Response. The recommendation is $1,075,000 more than the fiscal year 2020 enacted level.

OFFICE OF THE CHIEF INFORMATION OFFICER

PROGRAM DESCRIPTION

The Office of the Chief Information Officer serves as the principal advisor to the Secretary on matters involving information technology, cybersecurity, privacy, and records management.

COMMITTEE RECOMMENDATION

The Committee recommends $17,493,000 for the Office of the Chief Information Officer, which is $679,000 more than the fiscal year 2020 enacted level.

Support for the OPEN Government Data Act.—The Committee supports continued funding for DOT's Chief Data Officer. The OPEN Government Data Act (Title II of Public Law 115–435) lays out a vision for well-managed, high quality, accessible, and useful government data. Its implementation can expand the scope of open government data, improving its management, and empowering those who want to make use of it both inside and outside the Federal Government. This position ensures the American public have access to data from the Department.

RESEARCH AND TECHNOLOGY

Appropriations, 2020	$21,000,000
Budget estimate, 2021	11,033,000
Committee recommendation	18,000,000

PROGRAM DESCRIPTION

The Office of the Assistant Secretary for Research and Technology has taken over the responsibilities previously held by the Research and Innovative Technology Administration. The responsibilities include coordinating, facilitating, and reviewing the Department's research and development programs and activities; and overseeing and providing direction to the Bureau of Transportation Statistics, the Intelligent Transportation Systems Joint Program Office, the University Transportation Centers program, the Volpe National Transportation Systems Center and the Transportation Safety Institute.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $18,000,000 for the Office of the Assistant Secretary for Research and Technology, of which $11,685,000 shall be available until expended. This amount is $6,967,000 more than the budget request, and $3,000,000 less than the fiscal year 2020 enacted level.

University Transportation Centers [UTCs].—The Committee continues to support UTCs, which advance the state-of-the-art in transportation research and technology, and develop the next generation of transportation professionals. The FAST Act provides $77,500,000 in annual funding through the HTF for UTCs. In addition, the Committee provided $5,000,000 in additional funding in fiscal year 2020 for new Tier I UTCs. The Department should ensure that historically black colleges and universities [HBCU] have an opportunity to apply for this funding.

Global Positioning System [GPS] Backup.—The Committee supports the Department's efforts to implement the National Timing Resilience and Security Act of 2018 (Public Law 115–282) and awaits the Department's recommendations from the recent demonstration. The Committee is aware that the Department has six staff positions for this work and encourages the office to fill current vacancies to ensure adequate staffing to fulfill the requirements of this initiative. Within the funds provided, the Committee directs the Secretary to dedicate $2,000,000 to support implementation of the Department's recommendations.

Emergency Planning Transportation Data Initiative.—The Committee recognizes that emergency planning decision-makers and the public require real-time roadway weather data to make important transportation decisions to protect public safety. A variety of weather events create hazardous driving conditions that lead to serious transportation accidents that could have been prevented with better data integration. The Committee recommendation includes $1,000,000 to support this initiative. The Committee directs the Secretary to continue to support the data initiative to conduct research and develop models of data integration of geo-located weather and roadway information for emergency and other severe weather conditions to improve public safety, emergency evacuation, and response capabilities.

Shared-Use Mobility.—The Committee recommendation includes $2,970,000 for the Complete Trips program. The Secretary is encouraged to partner with universities to increase mobility to disadvantaged groups, particularly in rural areas. The Committee understands that transportation challenges exist in rural and small urban areas for certain demographic groups, including elderly adults, people with disabilities, veterans, and Native Americans. The Department should partner with universities with expertise in these transportation mobility challenges.

Autonomous Vehicle Research in Rural Areas.—The Committee believes that autonomous vehicles have the potential to enhance roadway safety and increase mobility options for all Americans, but have additional challenges to overcome in order to bring these benefits to rural Americans. The Committee encourages the Department to work with universities and rural communities to address these challenges.

Coordination of DOT Research.—The Committee recognizes the importance of integrating data into the decision-making processes to improve the safety of our transportation networks and encourages the Office of the Assistant Secretary for Research and Technology to work collaboratively and in coordination with the impacted modes across the Department to prevent duplication and ensure Federal research investments are optimized.

Small Business Innovation Research [SBIR].—The Committee recognizes the importance of the SBIR program and its previous success in commercialization from federally funded research and development projects. The SBIR program encourages domestic small business to engage in Federal research and development and creates jobs in the smallest firms. The Committee therefore directs the Department to place an increased focus on making SBIR awards to firms with fewer than 50 people.

Mode-Neutral Framework.—According to the Bureau of Transportation Statistics, over the next 25 years, the demand for freight transportation is projected to grow by 40 percent to 25 billion tons of goods annually. The Department should facilitate the development and incorporation of technologies by freight transportation industries that have the potential to enhance the safety and efficiency of their operations, and should offer operational flexibility to reflect the capabilities of such new technologies, where feasible. The Department should also approach emerging technologies, such as automated systems, through a mode-neutral framework to ensure that the safety and efficiency benefits can be realized for all freight transportation industries.

Resilient Infrastructure.—The Committee continues to support the Department's efforts to provide user-friendly tools and resources that will assist in developing adaptation strategies and risk-informed policies for the development of resilient infrastructure. The Committee recommendation includes $1,000,000 for 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 to further the ability of State and local governments to conduct risk-based and system-level assessments of their transportation resilience investments. The Committee directs the Department to expand its technical assistance and trainings to help State DOTs, local governments, and Tribal governments develop reliable indicators of vulnerability and actionable mitigation measures in all phases of transportation planning, asset management, project-specific planning and development, and operations toward improving resiliency and reducing lifecycle costs. It is essential that Federal, State, and local partners understand the potential consequences of a major event and the probability of that event occurring in order to best inform decisions for recovery and resilience activities. The Committee also directs the Department to prioritize research and demonstrations of new and proven technologies that could make our infrastructure systems more resilient.

NATIONAL INFRASTRUCTURE INVESTMENTS

Appropriations, 2020	$1,000,000,000
Budget estimate, 2021	1,000,000,000
Committee recommendation	1,000,000,000

PROGRAM DESCRIPTION

This program provides grants and credit assistance to State and local governments, transit agencies, or a collaboration of such entities for capital investments in surface transportation infrastructure that will have a significant impact on the Nation, a metropolitan area, or a region. Eligible projects include highways and bridges, public transportation, freight and passenger rail, and port infrastructure. The Department awards grants on a competitive basis; however, the Department must ensure an equitable geographic distribution of funds and an appropriate balance in addressing the needs of urban and rural communities and within the timeframes outlined in the bill.

COMMITTEE RECOMMENDATION

The Committee recommendation includes $1,000,000,000 for grants and credit assistance for investment in significant transportation projects, which is equal to the fiscal year 2020 enacted level and the budget request. Of the total amount provided, $15,000,000 is available for planning grants.

The National Infrastructure Investments program has become integral to the economic success of communities throughout the country for more than 10 years. The outcome oriented selection criteria that includes state of good repair, economic competitiveness, quality of life, environmental sustainability, safety, innovation, and partnership nurtures stronger applications and results in successful multimodal projects. For these reasons, the Committee continues to direct the Secretary to award grants and credit assistance using the 2017 notice of funding opportunity selection criteria that stakeholders have relied upon in previous rounds.

Geographic Distribution.—The Committee continues to believe that our Federal infrastructure programs must benefit communities across the country. The Committee continues to require the Secretary to award grants and credit assistance in a manner that ensures an equitable geographic distribution of funds and an appropriate balance in addressing the needs of urban and rural communities.

Modal Distribution.—The Committee reiterates to the Department and potential applicants that BUILD grants support a broad variety of transportation projects, including 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; multimodal infrastructure; and infrastructure reuse projects.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

Appropriations, 2020	$5,000,000
Budget estimate, 2021	4,250,000
Committee Recommendation	4,250,000

PROGRAM DESCRIPTION

The National Surface Transportation and Innovative Finance Bureau [Bureau] will administer and coordinate or consolidate aspects of the Department's existing surface transportation innovative finance programs as authorized in section 9001 of the FAST Act.

COMMITTEE RECOMMENDATION

The Committee recommends $4,250,000 for the Bureau, which is equal to the budget request and $750,000 less than the fiscal year 2020 enacted level.

Build America Implementation Plan.—In 2020, the Committee directed the Department to compile an implementation plan for how it plans to meet its objectives as required under 49 U.S.C. 116(d)(5) within 180 days of enactment of this act. The Committee reminds the Department of the deadline to provide this report on performance indicators that assess the Bureau's progress toward meeting its guiding principles or mission to determine whether the Bureau is meeting its statutory objectives.

Financing for Transportation Oriented Development [TOD].—The Committee recognizes the potential of TOD to facilitate economic development, the construction of affordable housing, and more livable and healthier communities within walking distance of, or accessible to, public transit. Unfortunately, the Department has administered programs where TOD is an eligible activity with an impracticable, narrow definition of TOD that leads to near universal rejection of applications for Federal assistance. The Committee directs the Secretary to encourage the use of the Department's financing programs for TOD, where eligible, by issuing clear guidance and working with applicants to ensure projects meet the congressional intent of eligibility within 60 days of enactment of this act.

FINANCIAL MANAGEMENT CAPITAL

Appropriations, 2020	$2,000,000
Budget estimate, 2021	2,000,000
Committee recommendation	2,000,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee is recommending $2,000,000 to complete the Secretary's financial management capital initiative, which is equal to the budget request and fiscal year 2020 enacted level.

CYBER SECURITY INITIATIVE

Appropriations, 2020	$15,000,000
Budget estimate, 2021	22,000,000
Committee recommendation	22,000,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommendation includes $22,000,000 to support the Secretary's Cyber Security Initiative, which is equal to the budget request and $7,000,000 more than the fiscal year 2020 enacted level.

OFFICE OF CIVIL RIGHTS

Appropriations, 2020	$9,470,000
Budget estimate, 2021	9,600,000
Committee recommendation	9,600,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends a funding level of $9,600,000 for the Office of Civil Rights. The recommendation is equal to the budget request and $130,000 more than the fiscal year 2020 enacted level.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

Appropriations, 2020	$10,879,000
Budget estimate, 2021	9,350,000
Committee recommendation	9,350,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $9,350,000 for Transportation Planning, Research, and Development, which is equal to the budget request and $1,529,000 less than the fiscal year 2020 enacted level.

Non-Traditional and Emerging Transportation Technology [NETT] Council.—In fiscal year 2020, the Committee provided $2,000,000 for the NETT council to complete a study on new and emerging cross-modal transportation technologies, conduct research, and provide technical assistance. The Committee reminds the Department of the December 20, 2020, reporting deadline of the findings and recommendations of the required study.

WORKING CAPITAL FUND

Limitation, 2020	$319,793,000
Budget estimate, 2021	....
Committee recommendation	319,793,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $319,793,000 on activities financed through the Working Capital Fund. The recommended limit is equal to the limit enacted for fiscal year 2020. As in past years, the bill specifies that the limitation on the Working Capital Fund [WCF] shall apply only to the Department and not to services provided for other entities. The Committee directs services to be provided on a competitive basis to the maximum extent possible.

The Committee reminds the Department that in fiscal year 2020 the Committee only approved the migration of commodity information technology [IT] to the WCF and permission to expand activities to human capital and information technology activities was not approved.

The Committee again directs the Department to only sustain the migration of commodity IT to the WCF and permission to expand activities for human capital and information technology activities are denied.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

Appropriations, 2020	$4,646,000
Budget estimate, 2021	4,714,000
Committee recommendation	4,714,000

PROGRAM DESCRIPTION

This appropriation provides contractual support to assist small, women-owned, Native American, and other disadvantaged business firms in securing contracts and subcontracts for transportation-related projects that involve Federal spending. Separate funding is provided for these activities since this program provides grants and contract assistance that serve Department-wide goals and not just OST purposes.

COMMITTEE RECOMMENDATION

The Committee recommends $4,714,000 for grants and contractual support, which is $68,000 more than the fiscal year 2020 enacted level, and equal to the budget request.

Disadvantaged Business Report.—The Committee is concerned that States have widely varying disadvantaged business enterprise [DBE] programs, leading to a wide variety of outcomes for DBE businesses in each State. The Secretary is directed to perform a study on this program to determine whether States are meeting the 10 percent DBE usage required by current law. The report should also include data on what percentage of DOT funds go to DBEs in each State.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

PROGRAM DESCRIPTION

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

The Federal Aviation Administration [FAA] collects user fees that cover the air traffic control services the agency provides to aircraft that neither take off from, nor land in, the United States. These fees are commonly referred to as “overflight fees” and the receipts from the fees are used to help finance the EAS program.

COMMITTEE RECOMMENDATION

	Appropriations	Mandatory	Total
Appropriation, 2020	$162,000,000	$150,512,000	$312,512,000
Budget estimate, 2021	141,724,000	154,275,553	295,999,553
Committee recommendation	141,724,000	154,275,553	295,999,553

The Committee recommends an appropriation of $141,724,000 for the EAS program. This appropriation would be in addition to an estimated $154,275,553 from overflight fees collected by the FAA, allowing the Department to support a total program level for EAS of $295,999,553. The Committee’s recommendation for the appropriation is equal to the budget request and $20,276,000 less than the fiscal year 2020 enacted level. The total program level under the Committee’s recommendation is $16,512,447 less than the total program level enacted for fiscal year 2020 and equal to the program level in the budget request. The Committee recommendation does not include any reforms to the EAS program as requested in the budget request and funding is provided for all eligible communities.

Proximity to the Nearest Hub Airport.—The Committee continues to include a provision that prohibits the Department from entering into a new contract with an EAS community located less than 40 miles from the nearest hub airport before the Secretary has negotiated with the community over a local cost share.

Aircraft Size Requirement.—The Committee continues to include a provision that removes the requirement for 15-passenger seat aircraft. This requirement adds to the cost of the EAS program because the fleet of 15-passenger seat aircraft continues to age and grow more difficult for airlines to maintain. The Committee, however, expects that the Department will use this flexibility judiciously. The Department should use it for communities where historical passenger levels indicate that smaller aircraft would still accommodate the great majority of passengers, or for communities where viable proposals for service are not available. The Committee does not expect the Department to use this flexibility simply to lower costs if a community can show regular enplanement levels that would justify larger aircraft.

Waivers.—Current law prohibits EAS communities (except those in Alaska and Hawaii) from receiving subsidized service when the subsidy-per-passenger exceeds $200 unless such point is greater than 210 miles from the nearest large or medium hub. However, current law also requires the Secretary to grant waivers if a community's subsidy-per-passenger is less than what it was in the previous three fiscal years or if it is less than 10 percent higher than the highest subsidy-per-passenger from any of the three previous fiscal years. The Secretary has granted waivers to all communities that qualify for such waivers, and the Committee expects the Secretary to continue to issue all waivers in fiscal year 2021 where required under current law.

TRANSPORTATION DEMONSTRATION PROGRAM

Appropriations, 2020	....
Budget estimate, 2021	....
Committee recommendation	$100,000,000

PROGRAM DESCRIPTION

This program provides competitive grants for intermodal and multimodal freight and cargo transportation infrastructure.

COMMITTEE RECOMMENDATION

The Committee recommendation includes $100,000,000 for the Transportation Demonstration Program. The Committee recognizes that vast volumes of freight and cargo rely on multiple modes of transportation en route to their final destination. The Committee further recognizes that the interconnectedness of aviation, maritime, rail, and highway infrastructure is essential to the efficient transportation of goods between markets. Greater efficiencies in the intermodal and multimodal transport of freight and cargo can increase productivity and ultimately reduce the cost of goods for consumers. These impacts, in turn, foster conditions for economic development and job creation. The Committee is therefore interested in facilitating commerce in the U.S. through the development of intermodal and multimodal freight and cargo transportation infrastructure using a demonstration program that seeks to provide a single source of funding, in contrast to the current silos of funding programs, which states and localities rely on to fund multimodal infrastructure investments. Accordingly, the Committee directs the Department to establish a demonstration program that provides grant funding to entities that are well-positioned to augment existing intermodal and multimodal assets in close proximity with capital investments that strengthen the infrastructure connections. Such grant funding should seek to eliminate artificial barriers and fill gaps that exist within current grant programs. Specifically, the Committee expects that the Department facilitate capital investments that seek to capitalize on and streamline connections between aviation, maritime, rail, and highway infrastructure and generate efficiencies in inventory and supply chain management.

ADMINISTRATIVE PROVISIONS OFFICE OF THE SECRETARY OF TRANSPORTATION

Section 101 prohibits the Office of the Secretary of Transportation from obligating funds originally provided to a modal administration in order to approve assessments or reimbursable agreements, unless the Department follows the regular process for the reprogramming of funds, including congressional notification.

Section 102 requires the Secretary of Transportation 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 requires approval from the Assistant Secretary for Administration for retention or senior executive bonuses for all DOT employees.

Section 105 requires Administrative WCF to transfer equipment into the WCF and collect replacement reserve for the equipment equal to the useful life and estimated replacement cost of the equipment.

Section 106 allows the Department to use certain recoveries from the transit benefit program to improve the administration of that program.

Section 107 mandates congressional notification before the Department provides credit assistance under the Transportation Infrastructure Finance and Innovation Act program.

FEDERAL AVIATION ADMINISTRATION

PROGRAM DESCRIPTION

The Federal Aviation Administration is responsible for the safe movement of civil aviation and the evolution of a national system of airports. The Federal Government's regulatory role in civil aviation began with the creation of an Aeronautics Branch within the Department of Commerce pursuant to the Air Commerce Act of 1926 (Public Law 69–254). This act instructed the agency to foster air commerce; designate and establish airways; establish, operate, and maintain aids to navigation; arrange for research and development to improve such aids; issue airworthiness certificates for aircraft and major aircraft components; and investigate civil aviation accidents. In the Civil Aeronautics Act of 1938 (Public Law 75–706), these activities were transferred to a new, independent agency named the Civil Aeronautics Authority. Congress streamlined regulatory oversight in 1957 with the creation of two separate agencies, the Federal Aviation Agency and the Civil Aeronautics Board. When DOT began its operations in 1967, the Federal Aviation Agency was renamed the Federal Aviation Administration [FAA] and became one of several modal administrations within DOT. The Civil Aeronautics Board was later phased out with enactment of the Airline Deregulation Act of 1978 (Public Law 95–504), and ceased to exist in 1984. Responsibility for the investigation of civil aviation accidents was given to the National Transportation Safety Board in 1967. FAA's mission expanded in 1995 with the transfer of the Office of Commercial Space Transportation from the Office of the Secretary, and decreased in December 2001 with the transfer of civil aviation security activities to the Transportation Security Administration.

COMMITTEE RECOMMENDATION

The total recommended funding level for the FAA for fiscal year 2021 amounts to $17,953,577,000 including new budget authority and a limitation on the obligation of contract authority. This funding level is $432,077,000 more than the budget request and $335,912,000 more than the fiscal year 2020 enacted level.

The following table summarizes the Committee's recommendations for fiscal year 2021 in comparison to the budget request and the fiscal year 2020 enacted level:

	Fiscal year—		Committee recommendation
	2020 enacted	2021 estimate	
Operations	$10,630,000,000	$11,001,500,000	$11,001,500,000
Facilities and equipment	3,045,000,000	3,000,000,000	3,011,980,000
Research, engineering, and development	192,665,000	170,000,000	190,097,000
Grants-in-aid to airports (obligation limitation)	3,350,000,000	3,350,000,000	3,350,000,000
Grants-in-aid to airports (general fund)	400,000,000	....	400,000,000
Total	17,617,665,000	17,521,500,000	17,953,577,000

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Appropriations, 2020	$10,630,000,000
Budget estimate, 2021	11,001,500,000
Committee recommendation	11,001,500,000

PROGRAM DESCRIPTION

This appropriation provides funds for the operation, maintenance, communications, and logistical support of the air traffic control and air navigation systems. It also covers administrative and managerial costs for the FAA's regulatory, international, commercial space, medical, research, engineering, and development programs, as well as policy oversight and agency management functions. The Operations appropriation includes the following major activities:

—the Air Traffic Organization which operates, on a 24-hour daily basis, the national air traffic system, including the establishment and maintenance of a national system of aids to navigation, the development and distribution of aeronautical charts and the administration of acquisition, and research and development programs;
—the regulation and certification activities, including establishment and surveillance of civil air regulations to ensure safety and development of standards, rules and regulations governing the physical fitness of airmen, as well as the administration of an aviation medical research program;
—the Office of Commercial Space Transportation; and
—headquarters and support offices.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $11,001,500,000 for FAA Operations. This funding level is equal to the budget request, and $371,500,000 more than the fiscal year 2020 enacted level. As in past years, the FAA is directed to report immediately to the House and Senate Committees on Appropriations in the event resources are insufficient to operate a safe and effective air traffic control system. The following table summarizes the Committee's recommendation in comparison to the budget estimate and the fiscal year 2020 enacted level:

FAA OPERATIONS

	Fiscal year—		Committee recommendation
	2020 enacted	2021 estimate	
Aviation safety	$1,404,096,000	$1,474,039,000	$1,479,039,000
Air traffic organization	7,970,734,000	8,210,821,000	8,205,821,000
Commercial space transportation	26,040,000	27,555,000	27,555,000
Finance and Management	800,646,000	836,141,000	836,141,000
NextGen Operations and Planning	61,538,000	62,862,000	62,862,000
Security and hazardous materials safety	118,642,000	124,928,000	124,928,000
Staff offices	248,304,000	265,154,000	265,154,000
Total	10,630,000,000	11,001,500,000	11,001,500,000

Funding Level.—The Committee recommendation includes all baseline adjustments, base transfers, and requested increases for improving aviation safety oversight, cybersecurity, unmanned aircraft system [UAS], commercial space transportation staffing, community noise engagement, and the science, technology, engineering, and math aviation and space education [STEM AVSED] program, except for the transfer of staff from staff offices to the Office of the

Secretary, which are subject to approval under section 405 of this act.

Staffing.—The Committee recommendation includes sufficient funding to support 40,247 FTE. The Committee continues to provide substantial funding increases for FAA staffing needs, particularly for aviation safety. However, actual staffing levels for the operations account in fiscal year 2019 were 552 FTE below fiscal year 2018, and staffing levels in fiscal year 2020 remain below projected levels from the budget estimate. For aviation safety, the budget estimate projected supporting 7,318 FTE in fiscal year 2020, 302 FTE above the actual fiscal year 2019 FTE of 7,016. However, the most recent data from the FAA indicates the agency is not on target to meet this projected hiring goal.

Meanwhile, the Joint Authorities Technical Review Board recommended that the FAA conduct a workforce review to ensure there is a sufficient number of experienced specialists to perform certification and oversight duties. The FAA is in the process of performing that workforce review, but conservatively estimates needing an additional 236 safety critical and safety technical positions. The budget request includes only 50 of these positions, and at this rate of annual increase it will be nearly 5 years until the recommended level of safety staffing is achieved. The Committee believes the request is insufficient. Given the compounded hiring deficit already in place, the Committee recommendation includes a modest increase to the budget request of $5,000,000 for 25 positions above the budget request for a total of 75 new positions. The Committee expects the FAA to meet the staffing levels provided by the Committee for fiscal year 2020 by continuing to use direct hire authority, and by providing permanent change of station benefits and sign-on bonuses to increase staffing for aviation safety. As such, the FAA should keep the Committee informed on any revised budget estimates and staffing plans for fiscal year 2021 once the workforce review is completed or if hiring rates significantly accelerate. The Committee is committed to revising the aviation safety funding level should either of these current assumptions vary significantly. The FAA should also provide monthly staffing data, including hiring and separations, by program office within the operations account to the House and Senate Committees on Appropriations.

Funding Availability and Transfer Authority.—The bill provides 2-year funding availability for the entire operations account. This funding flexibility is provided to enhance assurance of continuity of air traffic operations during the annual transition from one fiscal year to the next. The FAA is directed to notify the House and Senate Committees on Appropriations on how much funding is carried over into the second year and how the FAA will use these unobligated balances in the second year. In addition, the bill includes funding transfer authority of 5 percent among the activities in this account. This transfer authority is provided to meet emerging requirements as the FAA works to accelerate the modernization of the Nation's air traffic control system.

Air Traffic Control Privatization.—The United States has the largest, safest, most efficient, and most complex air traffic control system in the world, and the FAA should remain a global leader with a singular and unified mission of safety. The Committee does not support any efforts to transfer the FAA's air traffic functions to a not-for-profit, independent, private corporation.

Contract Towers.—The Committee recommendation provides not less than $172,800,000 for the contract tower program, including the cost-share contract towers, which is $2,800,000 above the fiscal year 2020 enacted level. The Committee continues to express strong support for the FAA contract tower program as a cost-effective and efficient way to provide air traffic control services to smaller airports across the country. For fiscal year 2021, the Committee directs the FAA to continue to operate the 256 contract towers currently in the program, including the contract tower cost share program, as well as to expeditiously add qualified eligible airports. The Committee notes that a recent report by the Office of the Inspector General [OIG] found that on average, contract towers used at least 47.6 percent fewer resources per aircraft handled, resulting in lower controller staffing costs. In light of the substantial cost effectiveness of contract tower staffing, the Committee remains concerned with staffing challenges at certain contract towers. The Committee directs the FAA to provide flexibility to contract towers at small-hub airports with unique terrain and winter weather challenges so they include a minimum of two controllers during all regularly scheduled commercial flights, where permissible under current law.

Aircraft Certification.—The Committee recommendation includes not less than $285,227,000 for aircraft certification service, which is $24,017,000 above the fiscal year 2020 enacted level and $5,000,000 more than the budget request. This level of funding will support the hiring of 52 FTE in order to assist with the implementation of multiple reviews and recommendations as a result of the two fatal Boeing 737-MAX accidents in 2018 and 2019. In addition, the Committee supports establishment of the center for emerging concepts and innovation within aircraft certification and increased coordination between the aircraft certification and flight standards organizations. The Committee continues to direct the FAA to respond to all reviews and recommendations identified in the explanatory statement for the fiscal year 2020 Further Consolidated Appropriations Act (Public Law 116–94), including the impact of these recommendation on its resource and funding needs. The Committee also continues to direct the FAA to strategically use its existing personnel authorities to recruit and retain staff.

Organization Designation Authorization [ODA] Office.—The Committee is aware of the FAA's efforts to create a new aviation safety office under the associate administrator for aviation safety to oversee ODAs, consistent with the FAA Reauthorization Act of 2018 (Public Law 115–254). The FAA should continue to brief the House and Senate Committees on Appropriations as it develops the ODA office. The ODA office should lead to consistent delegation determinations, reduce undue pressure, and improve communication between relevant FAA offices and ODA personnel.

Safety Management System [SMS].—The Committee is disappointed that the FAA has yet to issue a rulemaking requiring design and production approval holders for aviation products to establish a SMS. SMS provides a structured approach to report hazards, manage safety risks, and take corrective actions. The Joint Authorities Technical Review and the Special Committee on FAA's Aircraft Certification Process have both highlighted SMS as a way to provide a holistic, integrated approach to aircraft certification that can improve safety. In a response to the recommendations from the Special Committee, the FAA did commit to working with industry stakeholders and international regulatory partners, and the Committee expects the FAA to prioritize this rulemaking.

NextGen Advisory Committee [NAC].—The 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.

Radar Approach Control.—The Committee finds that radar approach control enhances aviation safety and efficiency for regularly scheduled commercial airline service, and recommends that the FAA utilize existing funding to promptly provide radar to all FAA "Type 4" air traffic control towers.

FAA Public Hearing.—The Committee remains concerned with the proposed modifications to the Condor 1 and Condor 2 military operating areas and encourages the FAA to continue working with its partner agencies by holding a public hearing with representatives from the relevant Federal agencies in western Maine upon completion of the Air National Guard's environmental impact statement [EIS] and the record of decision. The Committee recognizes that the Air National Guard, as the lead agency under the National Environmental Policy Act (Public Law 91–190) process, has sought to meet the minimum legal requirements for public participation and comment. However, the Committee remains troubled with how the authorization of low-altitude military training in the proposed airspace would affect areas that significantly contribute to the local economy and areas that are culturally and environmentally sensitive. Furthermore, the Committee notes the FAA is the only Federal agency that can modify special airspace, and that the FAA may adopt the Air National Guard's EIS in whole, or in part, once the Final EIS has been issued. In addition, the Committee directs the FAA to report to the House and Senate Committees on Appropriations prior to the issuance of a record of decision regarding the modification of the Condor 1 and Condor 2 military operations areas that includes a summary of any public meeting and hearing and a list of the comments, questions, and responses presented at these meetings and hearings.

Landing Strips.—Backcountry landing strips on Federal lands are important assets to the national aviation infrastructure. The Committee directs the FAA to assist Federal land managers, including but not limited to the Bureau of Land Management, United States Forest Service, and National Park Service, in charting air-strips located on Federal lands that are and may be useful for administrative, recreational, and emergency purposes.

Contracting.—The Committee remains concerned that the FAA has made limited progress in reducing the number of no-bid or sole source contracts awarded. Last year the Committee directed the FAA to establish and implement actions to reduce the use of sole-source contracting, including the use of performance measures, as well as to report on these performance measures. Since then, the OIG has released another report on FAA's competitive award practices for its major program contracts. The FAA should complete necessary actions to implement recommendations from this report by December 31, 2020.

Noise and Community Outreach.—The Committee recommendation supports the budget request for $4,300,000 for community noise engagement to enhance outreach for each geographic area to meet targeted, regional community needs to mitigate noise complaints from past projects and to prepare for anticipated new and emerging technologies. This funding will also be used to increase regional staffing for these initiatives and for the Office of Policy, International Affairs, and Environment to facilitate open and transparent public participation in the FAA's efforts to modernize the national airspace through the implementation of performance based navigation [PBN]. This funding shall be used to fully engage and inform communities in the design and development of new takeoff and landing procedures and the post-implementation impacts of new air traffic routes that are intended to improve safety and efficiency, as well as reduce harmful carbon emissions. In developing new PBN flight procedures, the FAA shall give fair consideration to public comments and alternative noise reduction strategies, including procedure modification and dispersion. The FAA should utilize state-of-the-art technologies, metrics, and methodologies to measure actual noise at ground level experienced in communities affected by flight paths and not rely solely on computer modeling or other theoretical measures. The FAA should give high priority to evaluating where increased noise levels affects homes, businesses, and threatens public health. The Committee also reminds the FAA of its responsibilities to provide timely reports to Congress as directed in the FAA Reauthorization Act of 2018 (Public Law 115–254) on: (1) community involvement in NextGen metroplex projects as required in section 176 (b); (2) the airport noise mitigation and safety study as required in section 179 (c); and (3) aircraft noise exposure as required in section 187 (b).

Veterans' Pilot Training Grant Program.—Last year, the Committee directed the FAA to provide competitive grants to part 141 pilot schools that have established employment pathways with part 121 or part 135 commercial air carriers to provide flight training services to veterans. The FAA is in the process of fulfilling this directive, as well as concluding the results from the Secretary's "Forces to Flyers" program. The Committee directs the FAA to continue with the administrative requirements for implementation of this program and provides up to $5,000,000 for this purpose.

Commercial Space.—The Committee appreciates the FAA's efforts to finalize launch and reentry regulations for the commercial space industry that encourage innovation and maintain a strong focus on public safety. This is particularly critical in order to ensure the regulations are capable of meeting the needs of a rapidly evolving industry that envisions expanding launch activities from Federal property to spaceports. Further, the Committee urges the FAA to improve interagency coordination and oversight of the launches that occur on Federal property in order to minimize duplicative requirements and improve efficiency. As the FAA continues to validate and refine air traffic control [ATC] operational needs surrounding the integration of commercial space operations into the national airspace [NAS], the Committee directs the FAA to evaluate the transmission of real time hazards areas into en route automation modernization [ERAM], and to report to the House and Senate Committees on Appropriations once an investment decision is reached.

Further, the Committee urges the FAA to continue taking all necessary steps permissible under current law to prepare for the regulation of occupant safety in commercial human spaceflight activities. The Committee notes that the formation of industry consensus standards on this matter are significantly delayed, and with multiple, regular commercial human spaceflight missions imminent, the Committee will continue to evaluate the need to alter current law to allow the FAA to promulgate regulations before the end of the current regulatory moratorium, which expires in 2023.

Further, the Committee observes that the exponential rise of non-geostationary satellites, particularly those in low earth orbit, poses an increased risk due to reentering debris. Therefore, the Committee directs the FAA to provide a report to the House and Senate Committees on Appropriations within 270 days of enactment of this act assessing how the FAA launch and reentry licensing process can be leveraged to address this risk.

UAS Test Sites.—The Committee recommendation includes $6,000,000 for providing matching funds to commercial entities that contract with a FAA designated UAS test site to demonstrate or validate technologies that the FAA considers essential to the safe integration of UAS into the National Airspace System.

UAS Public Awareness.—The Committee is aware of the increased need for outreach and education among UAS users, especially with new FAA regulations being promulgated, allowing greater use of UASs. The Committee recommendation includes up to $1,000,000 for the existing "Know Before You Fly" initiative.

UAS Integration Pilot Program [IPP].—The Committee continues to support the FAA's UAS IPP, which is set to sunset in October, 2020. The FAA has gained valuable data and lessons from IPP participants, and the Committee directs the FAA to continue these relationships past the sunset date of the IPP in order to better inform the FAA's ongoing work on UAS.

Beyond Visual Line Of Sight [BVLOS].—The Committee is supportive of the integration of UAS into the NAS. However, in order to better utilize this technology a number of complex safety concerns must be fully considered prior to being used for BVLOS operations. At a minimum, the FAA needs to address issues related to safe distance separation, right-of-way, reliability standards for sensors, and the associated data sources and data fidelity for flight planning, terrain avoidance, object avoidance, and collision avoidance. The FAA shall report to the House and Senate Committees on Appropriations within 90 days of enactment of this act on how it expects to address these issues in order to advance BVLOS operations. In particular, the FAA should address how current onboard detect and avoid technology manufacturers and users are addressing these challenges.

Small UAS Procurement.—The Committee is concerned by the threat of foreign-made, small UAS collecting intelligence on U.S. national security facilities and critical infrastructure. In May 2019, the Department of Homeland Security issued an industry alert about the risks posed by Chinese-manufactured UAS and UAS components for use in safety and security operations. Specifically, the alert highlighted recent laws passed in China that may require companies, including manufacturers of UAS, to provide information to the Chinese government for intelligence gathering purposes. The National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) prohibited the Department of Defense from operating or procuring any UAS, UAS-related support or operations system, or system used for detection or identification of UAS, manufactured in or by an entity domiciled in the People's Republic of China, with certain exemptions and waiver authority. As such, for any acquisition of small UAS using funds provided by the FAA, including those to Federal grant recipients, the FAA should require certification of review of the DHS industry alert, and any subsequent and relevant UAS guidance, and completion of a risk assessment that considers the proposed use of the foreign-made UAS. The Committee also directs the FAA to regularly brief the House and Senate Committees on Appropriations, on an as needed basis, on any security risks or challenges identified by the agency from any small UAS or UAS components.

Urban Air Mobility and Electric Vertical Take-Off and Landing Workforce Preparedness Study.—The vertical take-off and landing of aircraft passenger transportation offers yet another innovative use of UAS. The Committee recommendation supports the budget request for research into these systems, including research on the demand and safety impacts of increased autonomy of larger UAS. As these urban transportation opportunities develop, it is important to also understand and assess the private sector workforce needs associated with this technology. The Committee therefore directs the GAO to study the workforce needs in aerospace manufacturing, pilots, electric charging, aircraft maintenance and report on its findings to the House and Senate Committee on Appropriations within 1 year of the date of enactment of this act. The GAO should consult with representatives of aircraft manufacturers, aircraft operators, companies developing innovative technological solutions to manage air traffic, airports, the tourism industry, the business travel industry, electricity providers and utilities, and State and local governments.

General Aviation Safety.—The Committee recognizes that despite investment in flight safety infrastructure, general aviation accidents and fatalities in Alaska continue to outpace the rest of the country. Flying in Alaska is some of the most dangerous and challenging in the world. From 2008 to 2017, the total accident rate in Alaska was 2.35 times higher than for the rest of the United States and the fatal accident rate in the State was 1.34 times higher than the rest of the United States. The NTSB recently issued a safety recommendation for the FAA to work with stakeholders that service the Alaska aviation industry to implement a safety-focused working group to review, prioritize, and integrate Alaska's aviation safety needs into the FAA's safety enhancement process. As such, the Committee recommendation includes up to $1,500,000 for the FAA to work with stakeholders in Alaska, including universities with expertise in aviation safety, on general aviation safety research, safety courses development and delivery, and training. The FAA should also consider establishing a working group, as recommended by the NTSB, if warranted.

Automated Weather-Observing System [AWOS] Equipment.—Section 553(d) of the FAA Reauthorization Act of 2018 waives the requirement for a positive cost-benefit ratio for AWOS equipment for States with a population of 50 of fewer persons per square mile. The FAA should also waive this requirement for airports located in a county with a population of 50 or fewer persons per square mile based on the most recent decennial census. Furthermore, for such projects at public use airports that would have a material impact on the safety of operations at that airport, the FAA should not require the completion of a cost-benefit analysis as long as that project is funded using non-primary entitlement funding and no additional discretionary funding from the FAA.

Helicopter Safety NTSB Recommendations.—The Committee remains concerned with the safe operation of helicopters and notes that the NTSB has made several recommendations to both the FAA and industry related to helicopter operations. The FAA should consider requiring principal operations inspectors to have experience with helicopter air ambulance [HAA] operations or receive additional training on HAA operations and oversight. FAA should also review the flight risk assessments for all HAA operators for compliance with relevant regulations and advisory circulars. The FAA should continue working with the National Weather Service to improve relevant weather data.

The Committee is also aware of the NTSB's recommendation to require terrain awareness and warning systems on all commercial helicopters. Not later than 180 days after enactment of this act, the FAA shall submit a report to the House and Senate Committees on Appropriations detailing the net passenger and public safety benefits of this technology on all commercial helicopters, as well as any challenges with implementing such a mandate. In addition, not later than 180 days after the date of the enactment of this act, the Administrator of the FAA shall provide a status update on the issuance of new or revised regulations implementing NTSB recommendations A–06–017, A–06–18, and A–06–019.

Helicopter Safety Low-Altitude Navigation.—The Committee also remains concerned with the limited level of transparency of low-altitude operations in the NAS given that the location of heliports and vertiports are not accurately known or documented. Safety and accessibility are essential to the projected growth for package delivery and urban air mobility [UAM]. The Committee therefore supports key helicopter safety initiatives, including heliport facility data capture and updates, as well as instrument flight procedure development, automation, and test and evaluation. The Committee recommendation includes $5,000,000 for the FAA to continue efforts started in fiscal year 2019 to improve helicopter safety. In addition, the FAA is directed to brief the House and Senate Committees on Appropriations within 120 days of enactment of this act on an execution strategy, including program structure, phased plan, schedule with milestones, deliverables, and barriers to completion, for the helicopter safety funds included in the Committee recommendation as well as those provided by the Committee in fiscal year 2019 and fiscal year 2020.

STEM AVSED.—The Committee recommendation includes up to $1,500,000 for the establishment of the STEM AVSED program, consistent with the budget request. The FAA's outreach efforts shall be in line with strategic focus areas identified by the agency, taking into consideration the needs of partners in industry, labor, nonprofits, academia, and government. Particular focus may be placed on engaging minority, women, and disadvantaged students. Consideration should also be given to focusing on locations where appropriate programs (2-year college associate degrees and four-year bachelor degree programs, technical training, apprenticeship opportunities, and pathway programs) currently exist so students in those communities have better access to the necessary training and education required for jobs in the aerospace industry.

Human Intervention Motivational Study [HIMS] Program and the Flight Attendant Drug and Alcohol Program [FADAP].—The Committee notes the importance of the HIMS program and the FADAP in helping to rehabilitate those struggling with substance abuse disorders so they are able to successfully return to work. The Committee recommendation includes up to $4,000,000 to continue these programs. Of this amount, $1,000,000 shall be for the Secretary to complete the study required by section 554 of the FAA Reauthorization Act of 2018 (Public Law 115–254), and the Committee urges the Secretary to expeditiously report to the House and Senate Committees on Appropriations on the progress of this study.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriations, 2020	$3,045,000,000
Budget estimate, 2021	3,000,000,000
Committee recommendation	3,011,980,000

PROGRAM DESCRIPTION

The Facilities and Equipment appropriation provides funding for modernizing and improving air traffic control and airway facilities, equipment, and systems. The appropriation also finances major capital investments required by other agency programs, experimental research and development facilities, and other improvements to enhance the safety and capacity of the NAS. The program aims to keep pace with the increasing demands of aeronautical activity and remain in accordance with the FAA comprehensive 5-year capital investment plan.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $3,011,980,000 for the Facilities and Equipment account of the FAA. The recommended level is $11,980,000 more than the budget request and $33,020,000 less than the fiscal year 2020 enacted level. The Committee expects the FAA to make sound investment decisions and report to the House and Senate Committees on Appropriations on any major cost overruns or delays.

The following table shows the Committee's recommended distribution of funds for each of the budget activities funded by this appropriation:

FACILITIES AND EQUIPMENT

	Fiscal Year 2021	
	Estimate	Committee recommendation
Activity 1—Engineering, Development, Test and Evaluation		
Advanced Technology Development and Prototyping	$26,600,000	$26,600,000
William J. Hughes Technical Center Laboratory Sustainment	16,900,000	16,900,000
William J. Hughes Technical Center Infrastructure Sustainment	10,000,000	10,000,000
NextGen—Separation Management Portfolio	21,200,000	21,200,000
NextGen—Traffic Flow Management Portfolio	8,000,000	8,000,000
NextGen—On Demand NAS Portfolio	10,500,000	10,500,000
NextGen—NAS Infrastructure Portfolio	15,000,000	15,000,000
NextGen—NextGen Support Portfolio	8,400,000	8,400,000
NextGen—Unmanned Aircraft Systems [UAS]	22,000,000	22,000,000
Enterprise, Concept Development, Human Factors, & Demonstrations Portfolio	15,000,000	19,000,000
TOTAL ACTIVITY 1	153,600,000	157,600,000
Activity 2—Procurement and Modernization of Air Traffic Control Facilities and Equipment		
a. En Route Programs		
En Route Automation Modernization [ERAM]—System Enhancements and Technology Refresh	66,900,000	66,900,000
En Route Communications Gateway [ECG]	2,350,000	2,350,000
Next Generation Weather Radar [NEXRAD]	3,600,000	3,600,000
Air Route Traffic Control Center [ARTCC] & Combined Control Facility [CCF] Building Improvements	101,200,000	101,200,000
Air/Ground Communications Infrastructure	7,850,000	7,850,000
Air Traffic Control En Route Radar Facilities Improvements	7,500,000	7,500,000
Oceanic Automation System	9,150,000	9,150,000
Next Generation Very High Frequency Air/Ground Communications [NEXCOM]	40,000,000	40,000,000
System–Wide Information Management [SWIM]	31,050,000	31,050,000
ADS–B NAS Wide Implementation	170,000,000	180,000,000
Windshear Detection Service	2,500,000	2,500,000
Air Traffic Management Implementation Portfolio	56,000,000	17,200,000
Time Based Flow Management Portfolio [TBFM]	16,250,000	16,250,000
NextGen Weather Processors	24,300,000	24,300,000
Airborne Collision Avoidance System X [ACASX]	5,100,000	5,100,000
Data Communications in Support of NextGen	99,800,000	99,800,000
Reduced Oceanic Separation	10,450,000	15,450,000
En Route Service Improvements	2,000,000	2,000,000
Commercial Space Integration	11,000,000	11,000,000
Subtotal En Route Programs	667,000,000	643,200,000
b. Terminal Programs		
Standard Terminal Automation Replacement System [STARS] (TAMR Phase 1)	74,900,000	74,900,000
Terminal Automation Program	3,900,000	3,900,000
Terminal Air Traffic Control Facilities—Replace	55,000,000	55,000,000

FACILITIES AND EQUIPMENT—Continued

	Fiscal Year 2021	
	Estimate	Committee recommendation
Air Traffic Control Tower [ATCT]/Terminal Radar Approach Control [TRACON] Facilities—Improve	84,600,000	84,600,000
NAS Facilities OSHA and Environmental Standards Compliance	28,900,000	28,900,000
Integrated Display System [IDS]	30,000,000	30,000,000
Terminal Flight Data Manager [TFDM]	79,050,000	79,050,000
Performance Based Navigation Support Portfolio	8,000,000	8,000,000
UAS Implementation	26,600,000	26,600,000
Surface Surveillance Portfolio Sustain 1	30,350,000	30,350,000
Terminal and En Route Surveillance Portfolio	78,600,000	78,600,000
Terminal and En Route Voice Switch and Recorder Portfolio	43,400,000	43,400,000
Enterprise Information Plantform	10,500,000	10,500,000
Subtotal Terminal Programs	553,800,000	553,800,000
c. Flight Service Programs		
Aviation Surface Observation System [ASOS]	5,000,000	5,000,000
Future Flight Services Program [FFSP]	17,800,000	17,800,000
Alaska Flight Service Facility Modernization [AFSFM]	2,650,000	2,650,000
Weather Camera Program	....	2,000,000
Juneau Airport Wind System [JAWS]—Technology Refresh	1,000,000	1,000,000
Subtotal Flight Service Programs	26,450,000	28,450,000
d. Landing and Navigational Aids Program		
Very High Frequency [VHF] Omnidirectional Radio Range [VOR] Minimum Operating Network [MON]	19,000,000	19,000,000
Instrument Landing System [ILS]	....	10,000,000
Wide Area Augmentation System [WAAS] for GPS	83,900,000	83,900,000
Runway Safety Areas—Navigational Mitigation	1,800,000	1,800,000
Landing and Lighting Portfolio	68,950,000	64,930,000
Distance Measuring Equipment [DME], VOR, Tactical Air Navigational [TACAN] Portfolio	10,000,000	10,000,000
Subtotal Landing and Navigational Aids Programs	183,650,000	189,630,000
e. Other ATC Facilities Programs		
Fuel Storage Tank Replacement and Management	32,400,000	32,400,000
Unstaffed Infrastructure Sustainment	60,200,000	60,200,000
Aircraft Replacement and Related Equipment Program	36,100,000	36,100,000
Airport Cable Loop Systems—Sustained Support	9,000,000	9,000,000
Alaskan Satellite Telecommunications Infrastructure [ASTI]	1,000,000	1,000,000
Real Property Disposal	4,800,000	4,800,000
Electrical Power Systems—Sustain/Support	149,400,000	149,400,000
Energy Management and Compliance [EMC]	7,400,000	7,400,000
Child Care Center Sustainment	1,000,000	1,000,000
FAA Enterprise Network Service [FENS]	34,700,000	34,700,000
National Airspace System Risk and Performance Portfolio	15,900,000	15,900,000
Time Division Multiplexing [TDM]-to–Internet Protocol [IP] Migration	11,300,000	35,100,000
Subtotal Other ATC Facilities Programs	363,200,000	387,000,000
TOTAL ACTIVITY 2	1,794,100,000	1,802,080,000
Activity 3—Procurement and Modernization of Non–Air Traffic Control Facilities and Equipment		
a. Support Equipment		
Hazardous Materials Management	27,500,000	27,500,000
Aviation Safety Analysis System [ASAS]	23,500,000	23,500,000
NAS Recovery Communications [RCOM]	12,000,000	12,000,000
Facility Security Risk Management	24,400,000	24,400,000
Information Security	18,500,000	18,500,000
System Approach for Safety Oversight [SASO]	29,200,000	29,200,000
Aviation Safety Knowledge Management Environment [ASKME]	9,700,000	9,700,000

FACILITIES AND EQUIPMENT—Continued

	Fiscal Year 2021	
	Estimate	Committee recommendation
Aerospace Medical Equipment Needs [AMEN]	28,300,000	28,300,000
NextGen—System Safety Management Portfolio	21,500,000	21,500,000
National Test Equipment Program [NTEP]	3,000,000	3,000,000
Mobile Assets Management Program	2,500,000	2,500,000
Aerospace Medicine Safety Information Systems [AMSIS]	20,200,000	20,200,000
Configuration, Logistics, and Maintenance Resource Solutions [CLMRS]	29,300,000	29,300,000
Subtotal Support Equipment	249,600,000	249,600,000
b. Training, Equipment and Facilities		
Aeronautical Center Infrastructure Modernization	14,000,000	14,000,000
Distance Learning	1,000,000	1,000,000
Subtotal Training, Equipment and Facilities	15,000,000	15,000,000
TOTAL ACTIVITY 3	264,600,000	264,600,000
Activity 4—Facilities and Equipment Mission Support		
a. System Support and Services		
System Engineering and Development Support	39,100,000	39,100,000
Program Support Leases	48,000,000	48,000,000
Logistics Support Services [LSS]	12,000,000	12,000,000
Mike Monroney Aeronautical Center Leases	21,100,000	21,100,000
Transition Engineering Support	17,000,000	17,000,000
Technical Support Services Contract [TSSC]	28,000,000	28,000,000
Resource Tracking Program [RTP]	8,000,000	8,000,000
Center for Advanced Aviation System Development [CAASD]	57,000,000	57,000,000
Aeronautical Information Management Program	7,500,000	7,500,000
TOTAL ACTIVITY 4	237,700,000	237,700,000
Activity 5—Personnel and Related Expenses		
Personnel and Related Expenses	550,000,000	550,000,000
Sub–total All Activities	3,000,000,000	3,011,980,000

NextGen—Separation Management Portfolio.—The Committee recommendation includes $21,200,000. The FAA should evaluate the human factors and technical approach of the multi-platform ATC re-hosting solution [MARS] platform.

Enterprise, Concept Development, Human Factors, and Demonstration Portfolio.—The Committee recommendation includes up to $9,000,000 to continue implementation of the remote tower pilot program authorized in section 161 of the FAA Reauthorization Act of 2018 (Public Law 115–254). The Committee continues to support the inclusion of additional remote towers to the pilot program.

Automatic Dependent Surveillance-Broadcast [ADS–B].—The Committee recommendation includes $10,000,000 above the request to install airport surface surveillance capabilities to replace older airport movement area safety systems in order to improve situational awareness of the surface movement area, mitigate wrong surface landing risk, and standardize the equipment used for surface monitoring at such airports.

Time Based Flow Management [TBFM] Portfolio.—The Committee recommendation includes $16,250,000 for the TBFM portfolio to enable air traffic controllers to more efficiently use constrained air space. The Committee is aware that TBFM hardware requires a refresh in 2022, and the FAA is currently conducting an investment analysis. The FAA has sufficient unobligated balances in this budget line item and the FAA should ensure there are no negative impacts due to the aging hardware.

Data Communications [DataComm] in Support of NextGen.—The Committee recommendation includes $99,800,000 for DataComm. The Committee is aware that the government shutdown during fiscal year 2019 may have slowed the implementation of DataComm. However, the FAA has sufficient unobligated balances in this budget line item to mitigate the impacts from the government shutdown.

Reduced Oceanic Separation.—The Committee recommendation includes $15,450,000 for reduced oceanic separation. When combined with over $28,000,000 in unobligated balances, the Committee recommendation is sufficient for continued implementation of Automatic Dependent Surveillance-Contract [ADS–C] for reduced oceanic separation and for the implementation of space-based Automatic Dependent Surveillance-Broadcast [ADS–B] for use in oceanic operations.

Standard Terminal Automation Replacement System [STARS] (TAMR Phase 1).—The Committee recommendation includes $74,900,000 for STARS (TAMR Phase 1). The Committee is pleased with the deployment of the TAMR/STARS infrastructure throughout the NAS. The Committee is aware that upgrades to STARS Enhancements 2 [SE2] are needed to support the expanded use of PBN procedures. The Committee directs the FAA to assess SE2 software work, to determine the shortfall of weather information needed for use by controllers in air traffic control facilities, and to begin the requirements analysis of replacing flight strips with electronic flight data.

Terminal Air Traffic Control Facilities—Replace.—The Committee directs the FAA to work to address aging and antiquated air traffic control facilities that it leases from airport authorities to ensure they are fully compliant with current building codes consistent with being occupied by air traffic controllers. The Committee recognizes that this, in many cases, may require the construction of new air traffic facilities to replace existing ones. The Committee directs the FAA to consider creative financing options and to include consideration of long-term cost recovery leases, when conditions warrant the construction of new air traffic control towers.

Terminal and En Route Surveillance Portfolio.—The Committee recommendation includes $78,600,000, including $3,100,000 for airport surveillance radar [ASR]–8 sustainment. The ASR–8 primary surveillance radar systems were fielded between 1975 and 1980 to provide primary surveillance radar data to air traffic controllers at low and medium activity airports. As of 2020, 46 ASR–8 systems (44 operational systems, two support systems) currently remain in use in the NAS. The Committee directs the FAA to work to address airports concerns with existing ASR–8 radar systems interference with surrounding topography and local economic development, and to incorporate the potential needs for radar relocation into its ongoing ASR–8 technology refresh program.

Weather Camera Program.—The FAA's weather camera system in Alaska helps inform safety decisions for pilots, particularly in mountainous terrain and at rural airports. The Committee recommendation includes $2,000,000 for the Weather Camera Program and encourages the FAA to implement the program in areas outside of Alaska to enable broader use.

Instrument Landing Systems [ILS].—The Committee recommendation includes $10,000,000 for the procurement and installation of ILS services. The Committee remains concerned about the slow pace with which the FAA is installing these critical system upgrades and directs the FAA to accelerate the installation and commissioning of ILS systems, utilizing established contractors to augment FAA resources, if necessary.

Landing and Lighting Portfolio.—The Committee recommendation includes $64,930,000 and supports FAA's work to modernize and enhance Navigation Aids [NavAids] monitoring and control capabilities in air traffic control towers. The FAA should refresh and the software and technology of NavAids control and monitoring systems, which provide real time, mission critical capabilities, and enhance situational awareness, safety, and efficiency in managing air traffic. These systems need to be continuously evaluated and fully refreshed to sustain the critical role they play in the NAS.

Time Division Multiplexing [TDM] to Internet Protocol [IP] Migration.—The Committee recommendation includes $35,100,000 to support the TDM to IP portfolio program. Telecommunication carriers are increasingly no longer supporting TDM service. As a result, the FAA must invest in new broadband/carrier ethernet technology where cost-effective and available to replace low speed TDM service in order to sustain NAS operations. In addition, the FAA must modernize its systems to utilize IP technology to take advantage of a modern broadband/carrier ethernet based network and reduce dependence on TDM technology.

Military Operations Areas.—The Committee finds that radar and future NextGen systems capable of controlling airspace down to 500 feet above ground level enhances aviation safety in Military Operations Areas that overlay public use airports. The Committee recommends that the FAA utilize existing resources to promptly provide radar or NextGen capability in areas with more than 5,000 operations per year.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriations, 2020	$192,665,000
Budget estimate, 2021	170,000,000
Committee recommendation	190,097,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $190,097,000 for the FAA's Research, Engineering, and Development activities. The recommended level of funding is $20,097,000 more than the budget request and $2,568,000 less than the fiscal year 2020 enacted level.

A table showing the fiscal year 2020 enacted level, the fiscal year 2021 budget estimate and the Committee recommendation is as follows:

RESEARCH, ENGINEERING, AND DEVELOPMENT

	Fiscal Year 2021	
	Estimate	Committee recommendation
Safety:		
Fire Research and Safety	$7,136,000	$7,136,000
Propulsion and Fuel Systems	4,215,000	4,215,000
Advanced Materials/Structural Safety	1,003,000	14,720,000
Aircraft Icing/Digital System Safety/Aircraft Cyber	6,426,000	6,426,000
Continued Airworthiness	9,642,000	9,642,000
Flightdeck/Maintenance/System Integration Human Factors	7,469,000	7,469,000
Safety System Management/Terminal Area Safety	5,485,000	5,485,000
Air Traffic Control Technical Operations Human Factors	5,685,000	5,685,000
Aeromedical Research	10,235,000	10,235,000
Weather Program	6,236,000	6,236,000
Unmanned Aircraft Systems Research	24,035,000	24,035,000
Alternative Fuels for General Aviation	2,524,000	2,524,000
Commercial Space Transportation Safety	5,840,000	5,840,000
NextGen—Wake Turbulence	3,698,000	3,698,000
NextGen—Air Ground Integration Human Factors	6,757,000	6,757,000
NextGen—Weather Technology in the Cockpit	1,982,000	1,982,000
NextGen—Flight Deck Data Exchange Requirements	1,000,000	1,000,000
Information/Cyber Security	4,769,000	4,769,000
Total Safety	114,137,000	127,854,000
Reduce Environmental Impacts:		
Environment & Energy	17,911,000	18,013,000
NextGen Environmental Research Aircraft Technologies, and Fuels	27,009,000	29,174,000
Total Reduce Environmental Impacts	44,920,000	47,187,000
Mission Support:		
System Planning and Resource Management	8,022,000	12,135,000
William J. Hughes Technical Center Laboratory Facility	2,921,000	2,921,000
Total Mission Support	10,943,000	15,056,000
Total	170,000,000	190,097,000

Advanced Materials/Structural Safety.—The Committee recommendation includes a total of $14,720,000 for advanced materials/structural safety. With the emergence of additive manufacturing processes, the Committee recognizes that advances in the fabrication of complex structures have the potential to transform aircraft and spacecraft. The Committee is aware that the primary challenge in additive manufacturing for aerospace applications is the certification of airworthiness of complex processes used within the additive manufactured components. The Committee recommendation includes $6,000,000 to advance the use of these new additive materials (both metallic and non-metallic based additive processes) in the commercial aviation industry, as well as $4,000,000 to advance the use of fiber reinforced composite materials in the commercial aviation industry through the FAA Joint Advanced Materials and Structures Center of Excellence. The Committee is also encouraged by the potential impact that stitched resin composites can have on the aviation industry, and includes $2,000,000 for the FAA to continue its work with existing public-private partnerships that provide leading-edge research, development, and testing of composite materials and structures.

UAS Research Center of Excellence [COE].—The Committee recognizes the valuable role of the UAS COE in assisting the FAA in a host of research challenges associated with the integration of UAS into the NAS. The Committee recommendation includes $24,035,000 for UAS research. Of this amount: (1) $12,035,000 is directed to support the expanded role of the UAS COE in areas of UAS research, including cybersecurity, agricultural applications, beyond visual line of sight technology, studies of advanced composites and other non-metallic engineering materials not common to manned aircraft but utilized in UAS, the STEM program, and to establish a UAS safety research facility at the Center to study appropriate safety standards for UAS and to develop and validate certification standards for such systems; (2) $2,000,000 is for the Center's role in transportation disaster preparedness and response, partnering with institutions that have demonstrated experience in damage assessment, collaboration with State transportation agencies, and applied UAS field testing; and (3) $10,000,000 is to support UAS research activities at the FAA technical center and other FAA facilities.

Community and Technical College Centers of Excellence [COE] in Small UAS Technology Training Program.—The Committee supports workforce development efforts to increase the number of technically trained drone technicians and pilots as industry demands continue to grow. In April 2020, the FAA announced a process for colleges and universities to apply for a UAS Collegiate Training Initiative [CTI] school designation as required by section 632 of the FAA Reauthorization Act of 2018 (Public Law 115–254). The FAA will collaborate with partner schools to deliver up-to-date UAS training tools, resources, and guidelines that will prepare students for careers in UAS and continue to maintain the safety of the NAS. Programs accepted into the UAS–CTI program will establish a 3-year CTI memorandum of understanding with the FAA. All UAS–CTI designated schools will also be designated as members of the Consortium for Small Unmanned Aircraft System Technology Training. The FAA should continue working with both the UAS–CTI schools and the Consortium to develop additional benefits and opportunities for engagement as both programs are developed. The FAA should use available funds to assist designated UAS CTIs and include any funding needs permissible under current law for this program in future budget justifications.

Environmental Sustainability.—The Committee recommendation includes $47,187,000 for research related to environmental sustainability, of which $18,013,000 is for "Environment and Energy" and

$29,174,000 is for "Next Gen-Environmental Research Aircraft Technologies, Fuels and Metrics". The FAA is directed to provide $15,000,000 for the Center. The Committee is pleased to see that the FAA continues to invest in research addressing new innovative technology that enables industry to design quieter more efficient aircraft. The Committee is aware of progress in the area of electric propulsion systems and other technologies that have the potential to reduce substantially the amount of noise and greenhouse gas emissions from airplanes. While these technologies are still in the research, development, and demonstration phase, the Committee encourages the FAA to consider the requirements for policy, infrastructure, and administrative capacity necessary to enable their safe deployment, and to seek input from the National Aeronautics and Space Administration [NASA] when appropriate. However, this focus has resulted in a reallocation of investment away from sustainable aviation fuels [SAF] research at a time when the International Civil Aviation Organization [ICAO] Carbon Offsetting and Reduction Scheme for International Aviation [CORSIA] requirements are coming into effect. SAF research is essential to maintain U.S. competitiveness in the global aviation industry. The Committee directs the FAA to continue to provide resources to certify fuels for safe use in commercial aviation and their inclusion for meeting compliance obligations under CORSIA, and encourages utilization of the Aviation Sustainability Center [ASCENT] researchers to address the entire sustainable aviation fuels supply chain to identify and enable industry to overcome key barriers to entry such as fuel costs.

Aviation Workforce Development Programs.—The Committee recommendation includes $10,000,000 within Systems Planning and Resource Management for the Aviation Workforce Development Programs as authorized by section 625 of the FAA Reauthorization Act of 2018. Funding shall be used for both aircraft pilot workforce and aviation maintenance workforce.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

	Fiscal year—		Committee recommendation
	2020 enacted	2021 estimate	
Resources from the Airport and Airway Trust Fund:			
Limitation on obligations	$3,350,000,000	$3,350,000,000	$3,350,000,000
Liquidation of contract authorization	3,000,000,000	3,350,000,000	3,350,000,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations of $3,350,000,000 for Grants-in-Aid for Airports for fiscal year 2021. The recommended limitation on obligations is equal to the enacted level for fiscal year 2020 and the budget request.

The Committee recommends a liquidating cash appropriation of $3,350,000,000 for Grants-in-Aid for Airports. The recommended level is $350,000,000 more than the fiscal year 2020 enacted level and equal to the budget request. This appropriation is sufficient to cover the liquidation of all obligations incurred pursuant to the limitation on obligations set forward in the bill.

Administrative Expenses.—The Committee recommends not more than $119,402,000 to cover administrative expenses. This funding level is equal to the budget request and $2,902,000 more than the fiscal year 2020 enacted level.

Airport Cooperative Research.—The Committee recommends not less than $15,000,000 for the Airport Cooperative Research program. This funding level is equal to the budget estimate and the fiscal year 2020 enacted level.

Airport Technology.—The Committee recommends not less than $40,666,000 for Airport Technology Research. This funding level is equal to the budget request and $1,442,000 more than the fiscal year 2020 level. Of this amount, $6,000,000 is for the airfield pavement technology program authorized under section 744 of Public Law 115–254, of which $3,000,000 is for concrete pavement research and $3,000,000 is for asphalt pavement research. The Committee recommendation includes the budget request of $1,200,000 to support FAA's role in the urban air mobility program. The Committee recommendation also supports the budget request for research efforts related to the replacement of perfluoroalkyl or polyfluoroalkyl substances and directs the FAA to brief the House and Senate Committee on Appropriations on the testing and development of new firefighting performance requirements for the use of compressed air foam system technology in aircraft rescue and firefighting.

Small Community Air Service Development Program.—The Committee recommends $10,000,000. This funding level is equal to the fiscal year 2020 enacted level. The budget request included no funds for this program for fiscal year 2021.

Cost Share.—The bill includes a provision that allows small airports to continue contributing 5 percent of the total cost for unfinished phased projects that were underway prior to the passage of the FAA Modernization and Reform Act of 2012 (Public Law 112–095).

Policy and Procedure Concerning the Use of Airport Revenue.—The Committee is aware of several counties that have enacted sales tax measures to fund local transportation improvements. These sales tax measures are difficult to enact and provide critical funding to address local highway, public transportation, and other transportation requirements. Several of these counties contain airports and have been receiving funds raised through the sales tax on aviation fuel. In 2014, the FAA finalized a rule construing the term “local taxes on aviation fuel” to apply to all sales taxes rather than to specific excise taxes on aviation fuel. This change in definition diverts funding away from projects outlined in local sales tax measures, violating promises made to the voters who approved these measures. According to the FAA rules, local transportation sales taxes collected on the sale of aviation fuel would have to be spent in accordance with FAA rules governing such expenditures. Given the utility of sales tax measures to address local transportation needs and reduce the burden on Federal spending, the Committee encourages the Secretary to continue working with State and local governments and the FAA to develop a path forward to allow the use of local sales tax revenues generated on the sale of aviation fuel to be used in a manner consistent with their enactment.

Airport Improvement Program [AIP] Formula.—AIP formula funding for primary airports is allocated based primarily on commercial enplanements. The current definition of “enplanements” does not capture the full range of airport activities. For example, certain primary airports with more non-commercial flight activities such as pilot training do not factor into the current enplanement calculation. Therefore, the Committee directs the FAA to consider the full range of flight activities (such as flight training, air cargo, emergency response, pilot training, etc.) and associated metrics when considering AIP discretionary grants.

Zero-Emission Vehicle and Infrastructure Pilot Program.—The Committee supports the use of AIP funds for the zero-emission airport vehicles and infrastructure pilot program as authorized under 49 U.S.C. 47136.

Burdensome Regulations.—The Committee recommends the FAA identify opportunities to eliminate unnecessary regulations and streamline burdensome regulations to ensure the FAA is a good steward of limited tax-payer resources and produces physical infrastructure that supports long-term economic growth. Further, in reducing the regulatory burden, the FAA should identify areas where more autonomy can be given to local jurisdictions with a better understanding of needs and challenges in building and maintaining infrastructure.

Temporary Flight Restrictions.—Section 119G of the Consolidated Appropriations Act, 2019 (Public Law 116–6) made $3,500,000 available to the FAA to reimburse certain airport sponsors that are closed during temporary flight restrictions for any residence of the President that is designated or identified to be secured by the United States Secret Service. The Committee believes this amount is sufficient to cover all applicable financial losses, and directs the FAA to notify the House and Senate Committees on Appropriations if additional funding is necessary.

Boarding Bridges.—The Committee continues to direct the FAA to consult with the U.S. Trade Representative [USTR] and the U.S. Attorney General to develop, to the extent practicable, a list of entities that: (1) are a foreign State-owned enterprise that is identified by the USTR in the report required by subsection (a)(1) of section 182 of the Trade Act of 1974 (Public Law 93–618) and subject to monitoring by the USTR under section 306 of the Trade Act of 1974; and (2) have been determined by a Federal court, after exhausting all appeals, to have misappropriated intellectual property or trade secrets from an entity organized under the laws of the United States or any jurisdiction within the United States. The FAA shall make such list available to the public and work with the USTR, to the extent practicable, to utilize the System for Award Management database to exclude such entities from being eligible for Federal non-procurement awards. The FAA is expected to notify the Committee of any significant challenges the agency faces in completing these actions.

National Plan of Integrated Airport Systems [NPIAS].—The Committee directs the FAA to expeditiously review requests for entry into the NPIAS. Public-use airports that meet all applicable criteria and which have had significant and material investment from their local communities should be included in the NPIAS.

GRANTS-IN-AID TO AIRPORTS

Appropriations, 2020	$400,000,000
Budget estimate, 2021	....
Committee recommendation	400,000,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommendation includes $400,000,000 in discretionary funding for additional grants for airport infrastructure. The recommended level of funding is equal to the fiscal year 2020 enacted level and $400,000,000 more than the budget request. The Committee is concerned with the FAA's continually changing process for awarding supplemental AIP grants, which were first appropriated in fiscal year 2018. The Committee directs the FAA to consult with the House and Senate Committees on Appropriations and allow airports to update or modify any relevant planning documents prior to making any grant awards. The Committee continues to direct the Department to prioritize completing projects that have only received partial awards.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Section 110 limits the number of technical staff years at the Center for Advanced Aviation Systems Development to no more than 600 in fiscal year 2021.

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

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

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

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

Section 115 prohibits the FAA from using funds provided in the bill to purchase store gift cards or gift certificates through a Government-issued credit card.

Section 116 requires that, upon request by a private owner or operator of an aircraft, the Secretary block the display of that owner or operator's aircraft registration number in the Aircraft Situational Display to Industry program.

Section 117 prohibits funds in this act for salaries and expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

Section 118 requires the FAA to conduct public outreach and provide justification to the Committee before increasing fees under section 44721 of title 49, United States Code.

Section 119 requires the 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 119A prohibits funds from being used to change weight restrictions or prior permission rules at Teterboro Airport in New Jersey.

Section 119B prohibits funds from being used to withhold from consideration and approval any new application for participation in the Contract Tower Program, including applications from Cost Share Program participants if the Administrator determines such tower is eligible.

Section 119C prohibits the FAA from closing, consolidating, or redesignating any field or regional airports office without a reprogramming request.

Federal Highway Administration

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

Under the Committee recommendations, a total program level of $49,469,092,000 is provided for the activities of FHWA in fiscal year 2021. The recommendation is $1,114,704,000 less than the budget request and $198,860,000 more than the fiscal year 2020 enacted level. The following table summarizes the Committee's recommendations:

	Fiscal year—		Committee recommendation
	2020 enacted	2021 estimate	
Federal-aid highways program obligation limitation	$46,365,092,000	$49.982,000,000	$46,365,092,000
Contract authority exempt from the obligation limitation	739,000,000	739,000,000	739,000,000
Rescission	−19,935,000	−137,204,000	
Highway Infrastructure Program (general fund)	2,166,140,000		2,365,000,000
Total	49,250,297,000	50,583,796,000	49,469,092,000

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Limitation, 2020	$456,797,689
Budget estimate, 2021	478,897,049
Committee recommendation	478,897,049

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations of $475,649,049 for the administrative expenses of FHWA and an additional $3,248,000 for the administrative expenses of the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code. The total limitation is equal to the budget request and $22,099,360 more than the fiscal year 2020 enacted level.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Limitation, 2020	$46,365,092,000
Budget estimate, 2021	49,982,000,000
Committee recommendation	46,365,092,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends limiting fiscal year 2021 obligations for the Federal-aid highway program to $46,365,092,000, which is $3,616,908,000 less than the budget request and equal to the fiscal year 2020 enacted level.

Off-System Bridge Program.—The Committee recognizes the importance of preserving and protecting off-system bridges, and recommends that FHWA work closely with State transportation departments to ensure that adequate funds are being expended for these efforts as part of the expenditures made from the off-system bridge set-aside within the Surface Transportation Block Grant program.

Automated Vehicles [AV] and Pavement Performance.—The Committee is aware that researchers have identified a potential problem in which pavement service life is reduced due to AV systems. AVs have the potential to increase stress concentrations on pavements by operating vehicles in specific travel paths within highway lanes, rather than the more random driving paths done by human drivers, which distribute stresses over pavement on a more varied basis. The Committee commends FHWA for studying the impacts of AVs on highway infrastructure, as well as the potential needs to be considered in the design of new infrastructure. The Committee strongly encourages FHWA to complete this study and to report on its results to the House and Senate Committees on Appropriations.

Timber Bridge Initiative.—The Committee recognizes that the use of cross-laminated and other forms of mass timber can provide value for bridge structures, including reduced weight and cost-effectiveness. When used to reinforce existing structures, mass timber can also upgrade live load capacity. The Committee notes with appreciation that FHWA has worked successfully in partnership with the U.S. Department of Agriculture's Forest Products Laboratory to research the benefits of mass timber in bridge construction. The Committee continues to urge the Department to collaborate with other Federal agencies for deploying mass timber into our Nation's highway and bridge systems, as well as inform State and local entities of the advantages of using these materials as they make engineering decisions for Federal-aid projects.

Emergency Route Working Group [ERWG].—Section 5502 of the FAST Act requires the Department to create the ERWG in order to provide advice and recommendations to the Secretary with regard to best practices for expeditious State approval of permits for vehicles involved in emergency response and recovery. The ERWG submitted its report to the Secretary in December 2018, and the report was made publicly available on the agency website in August 2019. However, the Secretary has not yet notified Congress of actions planned or taken to implement ERWG recommendations. The Committee directs the Department to notify the House and Senate Committees on Appropriations of the actions that the Secretary and States have taken or intend to take to implement the ERWG's recommendations within 120 days of enactment of this act. As part of this notification, the Secretary is directed to address the recommendation to create interstate compacts in order to increase the efficient movement of emergency response vehicles.

Permeable Pavements.—The Committee encourages the Secretary to continue to conduct structural evaluations of flood-damaged pavements, with an emphasis on local roads and highways subject to flooding and extended periods of inundation, in order to better understand the mechanisms of flood damage and how permeable pavements and other technologies might be used to prevent or reduce damage from future flooding. The Committee also encourages the Secretary to accelerate further the ongoing research, demonstration, and deployment of permeable pavements to achieve other potential benefits, including flood mitigation, pollutant reduction, stormwater runoff reduction, environmental conservation, and resilience for both new road construction and re-reconstruction of existing roads.

Guardrails.—The Committee continues to support efforts by the Department to help State and local departments of transportation use 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 to use this data to develop specifications for use in future roadway construction.

Timely Response.—While the Committee fully supports Buy America requirements, the Committee is concerned about FHWA's inaction with regard to Buy America waiver requests for products for which there is no comparable product made in the United States. Therefore, the Committee directs FHWA to review and respond to Buy America waiver requests within 60 days of submission.

Composites.—The incorporation of lightweight, high-strength, corrosion-resistant, and durable composites into transportation assets can improve their safety and lower lifecycle costs. The Committee directs FHWA to continue funding projects under the technology and innovation deployment program that use innovative materials, including composites, in novel ways. These projects should seek to accelerate adoption of proven technologies, advance less-developed technologies, and better inform State DOTs of their benefits. As such, projects should include ongoing in-service evaluation of the demonstrated technology and dissemination of those results, including cost implications and effects on asset performance stemming from the incorporation of these technologies.

Categorical Exclusions.—The purpose of qualifying certain projects with minimal Federal involvement and environmental impact as "categorical exclusions" is to achieve cost savings and to accelerate projects to construction. The Committee directs FHWA to work with stakeholders, including State DOTs, to determine how to best minimize the bureaucratic burdens of the qualification process.

Changeable Message Signs.—In fiscal year 2020, the Committee directed FHWA to allow States to continue to test the use of changeable message signs on roadways. The content of that messaging should have been determined by each State to the extent that safe, efficient utilization of highways is still maintained, including during emergency and severe-weather operating conditions.

The Committee also directed the FHWA to submit a report summarizing joint action by FHWA and National Highway Traffic Safety Administration [NHTSA] regarding coordination with State DOTs on options for flexibility in highway sign messaging to address and combat local emergency priorities, including the reduction of impaired driving. These directives are overdue, and the Committee directs FHWA to submit this information promptly, no later than 30 days after enactment of this act.

Appalachian Development Highway System [ADHS].—The ADHS was created to promote economic development in the Appalachian region where commerce and communication had previously been inhibited due to a lack of adequate access. In order to further the original purpose of the ADHS, FHWA is directed to continue working with the Appalachian Regional Commission and relevant State DOTs to identify segments of existing, unfinished, and potential corridors that share many of the same attributes as the original corridors within the ADHS and discuss the justification for expanding the 3,090 mile cap to designate those corridors for inclusion in the ADHS.

Resilient Infrastructure.—In fiscal year 2018, the Committee directed the Department to produce a report which provides recommendations for States, metropolitan planning organizations, and cities to develop contextually-sensitive, resilient, Federal-aid highways and discuss cost-effective solutions for improving shoreline protections for existing highways. The report is to also include a discussion of the eligibility of certain resiliency projects under existing Federal-aid highway programs. The Committee is disappointed that this report remains overdue and directs the Department to complete the report within 30 days of enactment of this act.

Advanced Digital Management Systems.—The incorporation of digital technologies and processes into the oversight and management of infrastructure projects, including those utilizing advanced construction techniques and digital 3D models, offers the potential for significant savings as compared to traditional techniques for project design, engineering, construction, and maintenance. The Committee encourages the Department to provide up to $10,000,000 for demonstrations that will accelerate the adoption of these digital management systems.

Manual of Uniform Traffic Control Devices [MUTCD].—The Committee understands FHWA is pursuing an update of the MUTCD, the first major update in a decade. This updated version will reflect advances in traffic control device technology, and will lay the groundwork to support automated driving systems and innovative infrastructure. Once finalized, the Committee directs FHWA to provide the House and Senate Committees on Appropriations with a report outlining the key changes between the two manuals, as well as the implications this updated version will have on the safety of our roadways. This information shall also be available online to be easily accessed by State DOTs, localities, stakeholders, and the general public. Further, section 2J in the current MUTCD states that if State or local agencies elect to provide specific service signing, there should be a statewide policy for such signage and criteria for the availability of the various types of services. The Committee directs FHWA to allow the use of specific service signs for electric vehicle charging station providers in the forthcoming MUTCD to provide further clarity on the location of electric vehicle charging infrastructure.

Sustainable Materials Research.—The Committee is encouraged by FHWA's research on recycled concrete aggregates which absorb carbon dioxide, as well as research on materials with heightened durability, reducing the need for or frequency of reconstruction and rehabilitation, and thereby reducing carbon dioxide generation. The Committee supports this valuable and innovative research and urges the Department to continue investing research funds into these and other projects which develop sustainable materials for our Nation's roadways.

Job Order Contracting.—The Committee is aware that the indefinite delivery and indefinite quantity contracts for Federal-aid Construction advance notice of proposed rulemaking [ANPRM] (83 FR 29713) has been continuously delayed since the ANPRM was published on June 26, 2018. The Committee directs the FHWA to issue a proposed rule within 60 days of enactment of this act, with a limitation on contract value of no less than $10,000,000, and a final rule within 120 days of enactment of this act.

Innovative Technologies.—The Committee urges FHWA to work with State DOTs to consider the feasibility of utilizing or deploying innovative technologies, including moveable barriers, that provide traffic congestion relief, offer quick alternatives to costly road construction, result in safer roadways, help eliminate crossover fatalities, offer flexibility, improve air quality, and decrease fuel consumption.

National Road Network Pilot Program Extension.—The Committee recommendation includes $5,000,000 in additional funding under the technology and innovation deployment program for an extension of this activity, and directs FHWA to continue the development of a national level, geospatial, unified data specification accessible to all State transportation agencies while providing myriad data sharing, reuse opportunities, improved integration, and interoperability across State boundaries under the highway performance monitoring system. A nationally-based standard for geospatial data that supports planning, design, and construction as well as infrastructure asset management inventory and condition assessments can be advantageous as our Nation moves toward intelligent transportation systems and autonomous vehicles.

Safe System Approach.—The Committee is aware of the critical work that FHWA is doing to define, support, and encourage the successful adoption of safe system approaches for States and localities to reduce and eventually eliminate fatalities and serious injuries on our Nation's roadways in rural, urban, and suburban settings. The "Road to Zero" coalition brings together Federal partners, safety advocates, and State and local transportation departments to implement best practices in roadway design with the goal to eliminate roadway fatalities by the year 2050. The Committee encourages FHWA to continue to work with the "Road to Zero" coalition, relevant Federal partners, and other safety stakeholders to determine methods to increase the adoption of safe system principles.

Infrastructure Safety.—The Committee recognizes that aging drainage infrastructure, including corrugated metal pipe, can present safety concerns that cannot be ignored. In order to identify and address areas of concern in the most cost-effective and efficient way, the Committee encourages the Department to consider pilot programs that allow the testing and review of new technologies. These technologies should use nondestructive testing to locate and quantify soil voids behind the pipe wall, as well as provide imaging and photographic documentation of all defects, condition, and location on to-scale pipe maps that allow for subsequent targeted repair or replacement, as appropriate.

Collaboration with National Park Service.—The Committee appreciates the long history of collaboration between the Western Federal Lands Highway Division and the National Park Service to address needs related to the Pretty Rocks Landslide area of the Denali Park Road and expects this collaboration to continue.

Technical Assistance.—The Committee encourages FHWA to prioritize providing technical assistance, where appropriate, for State DOTs to facilitate tier II environmental impact statements for projects on high priority corridors and projects approved by a transportation improvement program [TIP].

Tribal Safety Data.—Native populations face a high level of motor vehicle crash injuries and death, and crash data is often underreported. An FHWA report entitled "Tribal Government & Transportation Safety Data" issued on May 22, 2017, highlighted many of these challenges, and a report entitled "Options for Improving Transportation Safety in Tribal Areas" issued on January 22, 2018, provided additional actions that can be taken to improve transportation safety in Tribal areas. The Committee recommendation directs the Department to implement recommendations from these two FHWA reports and any other related updates in order to improve transportation safety in Tribal areas.

Bridge Safety.—The Committee remains concerned about the pedestrian bridge collapse in 2018 at Florida International University [FIU] which resulted in six fatalities and eight injuries. Although it did not focus on the cause of the FIU bridge collapse, a recent report from the OIG found that while FHWA has made continuous improvements to its programs, the agency does not clearly explain how the division offices should assess and document project risks, and it lacks a process for monitoring and evaluating the impact of its risk-based project involvement. FHWA should implement the OIG recommendations from the report, and continue to work to identify bridge technologies that can help improve bridge safety.

Freight.—The Committee recognizes the need to improve freight mobility through all modes of transportation. Marine highways are an important tool to improve the efficiency of transportation in many States, and the Department should support projects that improve marine highways as well as our Nation's inland waterways. The Department should also submit a report with potential options for Congress to modify existing transportation programs, such as the National Highway Freight Program, to allow improvements to inland waterways. The Department should submit this report to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate

Committee on Commerce, Science, and Transportation within 180 days of enactment of this act.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Appropriations, 2020	$47,104,092,000
Budget estimate, 2021	50,721,000,000
Committee recommendation	47,104,092,000

PROGRAM DESCRIPTION

The Federal-aid highway program is funded through contract authority paid out of the Highway Trust Fund. Most forms of budget authority provide the authority to enter into obligations and then to liquidate those obligations. Put another way, it allows a Federal agency to commit to spending money on specified activities and then to actually spend that money. In contrast, contract authority provides only the authority to enter into obligations, but not the authority to liquidate those obligations. The authority to liquidate obligations—to actually spend the money committed with contract authority—must be provided separately. The authority to liquidate obligations under the Federal-aid highway program is provided under this heading. This liquidating authority allows FHWA to follow through on commitments already allowed under current law; it does not provide the authority to enter into new commitments for Federal spending.

COMMITTEE RECOMMENDATION

The Committee recommends a liquidating cash appropriation of $47,104,092,000. The recommended level is $3,616,908,000 less than the budget request and equal to the fiscal year 2020 enacted level. This level of liquidating authority is necessary to pay outstanding obligations from various highway accounts pursuant to this and prior appropriations acts.

HIGHWAY INFRASTRUCTURE PROGRAMS

Appropriations, 2020	$2,166,140,000
Budget estimate, 2021	....
Committee recommendation	2,365,000,000

PROGRAM DESCRIPTION

The Committee provides funding for Highway Infrastructure Programs to improve highway safety and efficiency for all Americans through general fund investments in addition to levels authorized in the FAST Act (Public Law (114–94).

COMMITTEE RECOMMENDATION

The FAST Act provides contract authority for programs administered by FHWA and funded through the Highway Trust Fund. The Committee recommendation includes an additional $2,365,000,000 in funding from the general fund for highway infrastructure, including: (1) $796,328,026 for the Surface Transportation Block Grant program; (2) $2,900,859 for the Puerto Rico Highway program; (3) $771,115 for the Territorial Highway program; (4)

$70,000,000 for the Nationally Significant Federal Lands and Tribal Projects program; (5) $1,360,000,000 for a bridge replacement and rehabilitation program; (6) $100,000,000 for the unfinished sections of the Appalachian Development Highway System; and (7) $35,000,000 for the scenic byways program.

Nationally Significant Federal Lands and Tribal Projects [NSFLTP].—The Committee directs FHWA to prioritize NSFLTP funding for roadways that in the prior fiscal year have been closed or had speed restrictions due to unsafe travel conditions as a result of the roadway's infrastructure condition and maintenance.

National Scenic Byways Program.—The Committee recommendation includes $35,000,000 for the national scenic byways program. The Committee directs FHWA to make new designations under the scenic byways program, as required by the Reviving American Scenic Byways Act of 2019 (Public Law 116–57), prior to issuing a notice of funding opportunity for the funds provided for the national scenic byways program under this heading. Funding provided for this program should be prioritized for roads in rural areas.

Critical Bridge Infrastructure.—The Committee remains greatly concerned with the condition and resiliency of the Nation's bridge inventory. This is underscored by the American Society of Civil Engineers' estimate that there is a $123,000,000,000 backlog of rehabilitation projects for our Nation's bridges. The Committee recommendation includes funding which can be used for the repair and replacement of bridges that are closed or at high risk of failure and are critical for the movement of commerce. The Committee also directs FHWA to proactively work with state and local stakeholders to reduce administrative and regulatory burdens in order to expeditiously advance bridge projects of urgent need in order to minimize impacts on commuters, freight movement and disadvantaged communities.

ADMINISTRATIVE PROVISIONS–FEDERAL HIGHWAY ADMINISTRATION

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

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

Section 122 sets forth parameters for any waiver of Buy America requirements.

Section 123 mandates 60-day notification for any grants for a project under 23 U.S.C. 117 and requires these notifications to be made within 180 days of enactment of this act.

Section 124 allows State DOTs to repurpose certain highway project funding and for those funds to be used within 100 miles of their original designation.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

PROGRAM DESCRIPTION

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

MCSIA (Public Law 106–159); the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59); the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141); and the FAST Act (Public Law 114–94) each provide funding authorization for FMCSA's Motor Carrier Safety Operations and Programs and Motor Carrier Safety Grants.

FMCSA's mission is to promote safe commercial motor vehicle and motor coach operations, as well as reduce the number and severity of accidents involving those vehicles. Agency resources and activities prevent and mitigate commercial motor vehicle and motor coach accidents through education, regulation, enforcement, stakeholder training, technological innovation, and improved information systems. FMCSA is also responsible for ensuring that all commercial vehicles entering the United States along its Southern and Northern borders comply with all Federal motor carrier safety and hazardous materials regulations. To accomplish these activities, FMCSA works with Federal, State, and local enforcement agencies, the motor carrier industry, highway safety organizations, and the public.

COMMITTEE RECOMMENDATION

The Committee recommends a total level of $692,031,688 for obligations and liquidations from the Highway Trust Fund. This level is $9,968,312 less than the budget request and $12,896,127 above the fiscal year 2020 enacted level.

	Fiscal year—		Committee recommendation
	2020 enacted	2021 estimate	
Motor Carrier Safety Operations & Programs (obligation limitation)	$288,000,000	$299,000,000	$300,896,127
Motor Carrier Safety Grants (obligation limitation)	391,135,561	403,000,000	391,135,561
Total	679,135,561	702,000,000	692,031,688

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Limitation, 2020	$288,000,000
Budget estimate, 2021	299,000,000
Committee recommendation	300,896,127

PROGRAM DESCRIPTION

This account provides necessary 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 Federal safety enforcement activities at the United States-Mexico border in order to ensure that Mexican carriers entering the United States are in compliance with FMCSA regulations. Resources are also provided to fund motor carrier regulatory development and implementation, information management, research and technology, safety education and outreach, and the 24-hour safety and consumer telephone hotline.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations and authority to liquidate an equal amount of contract authorization of $300,896,127, for FMCSA's Operations and Programs. The recommendation is $12,896,127 above the fiscal year 2020 enacted level and $1,896,127 million above the budget request. Of the total limitation on obligations, $9,073,000 is for research and technology, and $73,388,127 is for information management.

Border Crossing Capital Improvement Plan [CIP].—In fiscal year 2018, Congress provided FMCSA with $87,000,000 to construct and modernize up to 26 FMCSA inspection facilities for commercial motor vehicles entering the United States, ensuring that inspectors will have a safe, efficient workspace by replacing trailers with permanent modular buildings and providing canopy coverage and pits for ongoing inspections. The Committee supports FMCSA's efforts to improve these facilities and therefore directs the Administrator to provide an annual report to the House and Senate Committees on Appropriations by March 31, 2021, on the current status of the CIP. The delivery of this report in a timely manner is essential to the Committee's oversight and funding determinations for future fiscal years. The report shall include a list of all projects that have received funding and all proposed projects that FMCSA was unable to fund; cost overruns and cost savings for each active project; specific target dates for project completion; delays and the cause of delays and schedule changes including up-to-date cost projections for each project; a list and summary of any other challenges faced and relevant safety inspection data.

Overdue Automated Vehicles [AVs] Directives.—In fiscal year 2018, the Committee directed FMCSA to submit a joint report with the Department of Labor analyzing the impact of AV technologies on drivers and operators of commercial motor vehicles. This direction was in response to GAO findings that the Department lacked commitment and vision for addressing the ongoing and long-term ramifications of automated vehicle technologies. In addition, the Committee also directed the Department to report on the interagency dialogue with the Department of Labor on workforce changes, trucking safety, and labor force training needs, and to examine new ways of expanding the driving workforce, given the driver shortage and adaptations in technology and enhanced safety features, as AV technology progresses. The Committee expects improved collaboration and focus from FMCSA moving forward, and further directs the Department to provide a briefing to the House and Senate Committees on Appropriations within 60 days of enactment of this act which shall include the Department's plans to enhance transparency and collaboration with the Committee on this matter.

Also in fiscal year 2018, the Committee directed the Department to submit a research spend plan prior to obligating the $38,000,000 for research on autonomous vehicles and advanced driver assist systems. Regardless of this clear directive, the Department has obligated $7,600,000 of this funding toward the following activities: the Inclusion Design Challenge, a $5,600,000 research design competition; and the second phase of the Partnership for Analytics Research in Traffic Safety program, a $2,000,000 data collection initiative. While many of the initiatives are worthwhile investments, the intent of submitting a research plan prior to obligation was to enable the Committee to undertake a more comprehensive operational agency assessment of need, as well as to evaluate anticipated policy and programmatic challenges to better identify gaps within existing research in order to drive a Departmental-wide research strategy. The Committee reiterates its direction that fiscal year 2018 funds are not to be obligated unless a formal research spend plan has been provided and approved by the House and Senate Committees on Appropriations. In developing such spend plan, the Department shall identify and consider utilizing highly experienced researchers in the areas of crash worthiness and crash avoidance technologies of vehicles that have a comprehensive set of test facilities where vehicles can be developed and evaluated on urban and rural roadways, and that can be tested with all-weather capabilities.

Information Technology Capital Investment Plan [CIP].—In the annual appropriations bill, the Committee has directed a specific allocation for information management activities in order to compel the agency to prioritize the automation and modernization of its antiquated information technology systems. Many of these systems have been operational for over 20 years and do not serve the needs of the agency's registration, inspection, compliance, and enforcement activities. Improved automation and access to comprehensive oversight data systems is essential to ensuring the safety of the motor carrier industry and the traveling public alike. The Information Technology CIP submitted to the House and Senate Committees on Appropriations for fiscal years 2018 through 2022 identifies a strategic prioritization of investments, consolidating 33 systems on to six platforms. FMCSA has identified a sequenced retirement, replacement, and consolidation of functions approach that will allow FMCSA to provide a mobile-ready case management functionality to make roadside inspections, as well as compliance and enforcement activities, easier to execute, which will in turn improve functionality for external stakeholders. The Committee is pleased with the progress that FMCSA has made this year on the plan.

In order to accelerate the advancement of this modernization plan, the Committee recommendation includes $9,896,127 in prior year recaptures from the Operations and Programs Account for a total of $73,388,127 for fiscal year 2021 for information technology. Further, within 1 year of enactment of this act, the Committee directs the agency to report on the execution of this investment as it relates to the CIP, and to identify the status of implementation for key milestones, investment decisions, and operational and lifecycle costs in implementing this modernization effort in light of this increased appropriation.

Commercial Driver's License Drug and Alcohol Clearinghouse.—The Committee is aware that FMCSA established the Drug and Alcohol Clearinghouse in January of 2020, and that as of May 2020 it has recorded nearly one million total registrations and over 20,000 reported violations. The Committee encourages FMCSA, industry, law enforcement, and State partners to utilize the Clearinghouse to identify drivers who may be under the influence and should not be behind the wheel as the private and public sector work collaboratively to improve roadway safety.

State Inspector Training Program.—Under 49 U.S.C. 31104, 1.5 percent of the FAST Act allocations for the motor carrier safety assistance program, high priority activities, and commercial driver's license implementation programs are set aside to fund partner training and program support for roadside State inspector trainings. The Department oversees numerous contracts in order to implement the State inspector training program. The Committee has concerns about the numerous reports of agency-contracted vendors tasked to deliver the State-inspector training materials that include insufficient, incorrect, or missing information. Properly trained State inspectors are critical to maintain safety on our roadways; therefore, the Committee directs FMCSA to examine different options to provide this training. It is crucial that State inspectors receive training that is relevant, current, and accurate given their role in ensuring the safety of commercial vehicles. As the agency examines different options, the Committee encourages FMCSA to consider awarding the training contract to both nonprofits as well as for-profit entities to expand the pool of candidates. The Committee also directs that FMCSA brief the House and Senate Committees on Appropriations; the Senate Committee on Commerce, Science, and Transportation; and the House Committee on Transportation and Infrastructure within 90 days of enactment on methods to improve the contracting process, views incorporated from relevant stakeholders and State government entities, an analysis on the options for non-profit and for-profit entities to provide the training, and any statutory recommendations to rectify the current deficiencies.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDE TRANSFER OF FUNDS)

Limitation, 2020	$391,135,561
Budget estimate, 2021	403,000,000
Committee recommendation	391,135,561

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations and authority to liquidate an equal amount of contract authorization of $387,000,000 for motor carrier safety grants. The recommended limitation is equal to the fiscal year 2020 enacted level and $16,000,000 less than the budget request. The Committee recommends a separate limitation on obligations for each grant program funded under this account with the funding allocation identified below.

	Amount
Motor carrier safety assistance program [MCSAP]	$308,700,000
High priority activities program	45,900,000
Commercial motor vehicle operator grants program	3,335,561
Commercial driver's license program implementation program	33,200,000

ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Section 130 requires FMCSA to send notice of 49 CFR 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 such violations.

Section 131 prohibits funds from being used to enforce the electronic logging device rule with respect to carriers transporting livestock or insects.

Section 132 requires rear underride guards on commercial motor vehicles to be inspected annually.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

PROGRAM DESCRIPTION

The National Highway Traffic Safety Administration [NHTSA] was established as a separate organizational entity within the Department of Transportation in March 1970 in order to administer motor vehicle and highway safety programs. It is the successor agency to the National Highway Safety Bureau, which was housed within the Federal Highway Administration. NHTSA is responsible for administering motor vehicle safety, highway safety behavior, motor vehicle information, and automobile fuel economy programs.

NHTSA's mission is to reduce deaths, injuries, and economic losses resulting from motor vehicle crashes. 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 driving, and to promote policies and devices with demonstrated safety benefits, including helmets, child safety seats, airbags, and graduated licenses. NHTSA establishes and ensures compliance with fuel economy standards, investigates odometer fraud, establishes and enforces vehicle anti-theft regulations, and provides consumer information on a variety of motor vehicle safety topics.

COMMITTEE RECOMMENDATION

The Committee recommends $972,484,000, including both budget authority and limitations on the obligation of contract authority. This funding is $38,067,000 more than the President's request and $167,000 more than the fiscal year 2020 enacted level. The following table summarizes the Committee's recommendations:

	General fund	Highway trust fund	Total
Appropriation 2020	$211,000,000	$778,317,000	$989,317,000
Budget estimate, 2021	156,100,000	808,400,000	964,500,000
Committee recommendation	194,167,000	778,317,000	972,484,000

PROGRAM DESCRIPTION

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

OPERATIONS AND RESEARCH

	General fund	Highway trust fund	Total
Appropriation, fiscal year 2020	$194,000,000	$155,300,000	$349,300,000
Budget estimate, 2021	156,100,000	161,200,000	317,300,000
Committee recommendation	194,167,000	155,300,000	349,467,000

COMMITTEE RECOMMENDATION

The Committee provides $349,467,000 for Operations and Research, which is $32,167,000 more than the President's budget request and $167,000 more than the fiscal year 2020 enacted level. Of the total amount recommended for Operations and Research, $194,167,000 is derived from the general fund, and $155,300,000 is derived from the HTF. For vehicle safety research, the Committee recommendation includes $28,000,000 for rulemakings, of which $12,000,000 is for the new car assessment program; $37,000,000 is for enforcement, including not less than $14,000,000 for the Office of Defects Investigation; and $48,000,000 is for research and analysis. For highway safety research and development, the Committee recommendation includes $65,121,000 for highway safety programs and $42,983,000 is for the national center for statistics and analysis.

Highway Fatalities.—An estimated 36,096 people died in motor vehicle traffic crashes in 2019, a decrease of 2 percent as compared to the 36,835 deaths that occurred in 2018. The Committee is pleased that the overall number of highway-related deaths has decreased at a time when vehicle miles traveled increased by 28.8 billion miles. However, the Committee is concerned that the estimated fatality rate for the first half of 2020 increased to 1.25 fatalities per 100 million vehicle miles traveled [VMT], up from the 1.06 fatalities per 100 million VMT in the first half of 2019. The Committee believes that substantial gains toward a goal of zero highway deaths can be realized in the coming years through a combination of technology and a renewed emphasis on drunk, drug-impaired, and distracted driving prevention, increased seat belt and child safety seat use, as well as innovative tools to improve motorcyclist, bicyclist, and pedestrian safety. The Committee encourages the Department to remain engaged with the "Road to Zero" coalition, which is committed to a goal of zero roadway fatalities by 2050. The Committee urges NHTSA to continue programs that will consistently reduce highway fatalities, including conquering persistent problems with speeding, seat belt use, distraction, and alcohol- and drug-impaired driving.

Crashworthiness Research.—Vehicle manufacturers are increasingly relying on innovative lightweight plastic and polymer composite materials in order to improve automotive structural safety, meet consumer demand for innovative vehicles, increase fuel efficiency, and support new highly-skilled manufacturing jobs. NHTSA is directed to continue updating countermeasures for 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 light-weighting in both traditional and automated vehicle structural designs. NHTSA should also continue leveraging lessons learned from lightweight materials research performed by the Department, the Department of Energy, and industry stakeholders in its review of safety-centered approaches for future lightweight automotive design.

Research on the Accessibility of Automated Vehicles.—Nearly one in five people in the United States has a disability and face personal challenges regarding access to healthcare, education, housing, or employment. These difficulties are often compounded by a lack of accessible transportation in their communities. As automated driving systems are increasingly incorporated into both personal and commercial vehicles, manufacturers could consider significant changes to vehicle design. This presents a unique opportunity to reconsider both restraint systems and human-machine interfaces in order to improve the accessibility of vehicles for people with disabilities, as well as for the elderly. Whether people with disabilities or other physically-limiting driving restrictions can benefit from this transportation will depend on how early and to what extent vehicle manufacturers take accessibility into consideration in the design process of their vehicles. The Committee continues to direct NHTSA to develop goals and considerations for future amendments to the Federal motor vehicle safety standards [FMVSS] related to the accessibility of vehicles incorporating automated driving systems. These goals and considerations should ensure that the needs of people with communicative, physical, cognitive, mental, and other disabilities are properly and thoroughly considered. The Committee reminds NHTSA of the reporting requirement to the House and Senate Committees on Appropriations as directed in Senate Report 116–109.

Move Over Laws.—The Committee remains concerned about the public safety and work-zone risks related to roadway infrastructure, which can create hazardous conditions for road crews and public safety officials both in and out of vehicles. In fiscal year 2020, the Committee provided $5,000,000 to evaluate driver behavior using digital alerting and other technologies, as well as moveable barriers that protect these personnel while on the job. NHTSA is directed to consult with the Committee on their plan for completing this work, which should include an assessment of best practices, products and technologies that will improve first responder and road worker safety, and encourages the Department to consider the feasibility of a deployment technology demonstration project or an evaluation of alert technology currently being used in the field. The Committee reminds the Department of the importance of its work to report on the deaths and motor vehicle accidents involving roadside and emergency personnel while on duty in order to better understand the extent of the problem and potential solutions.

Tire Efficiency.—Section 24331 of the FAST Act (Public Law 114–94) includes three tire-related provisions, which make up the "Tire Efficiency, Safety, and Registration Act of 2015." The implementation of the regulations contained in these provisions will contribute significantly to consumer safety, vehicle fuel economy, and the competitiveness of the U.S. tire manufacturing industry, and deserves the Department's timely attention and resources. The Committee encourages the Secretary to implement these regulations promptly and directs the Department to submit a report to the House and Senate Committees on Appropriations within 120 days of enactment of this act on the Department's schedule and plan for promulgating these regulations.

Underride Safety.—An underride crash occurs when a vehicle slides under the body of a commercial motor vehicle during an accident. During these accidents, a vehicle's safety features are generally unable to protect passengers because components of the commercial motor vehicle crash through the windshield and into the passengers, often resulting in severe head and neck injuries. Federal regulations have required that the rear end of trailers have a guard in place that meet specific crashworthiness standards since 1998. NHTSA initiated a rulemaking to improve truck underride safety and strengthen these rear guard standards in December 2015. The Committee strongly encourages NHTSA to finalize this rulemaking as previously mentioned in the Senate Report 116–109 and to consult with relevant experts and stakeholders, including researchers, engineers, the trucking industry, and safety advocates, to facilitate the further adoption of underride protection devices. The Committee supports the recommendations contained in the GAO report from March 2020, which directed NHTSA to develop a standardized definition of underride crashes and data, and to share information with police departments in order to improve the quality and completeness of underride crash data collection. The Committee directs the Department to continue to implement those recommendations.

Modern Safety Systems in New Car Assessments Program [NCAP].—Crash avoidance technologies, including forward collision warning, automatic emergency braking, blind spot detection, rear automatic braking, adaptive cruise control lane departure warning, and pedestrian detection, have been shown to reduce roadway injuries and fatalities. Section 24321 of the FAST Act (Public Law 114–94) required NHTSA to incorporate information on crash avoidance technologies on the stickers placed on motor vehicles by their manufacturers, also known as monroney labels.

Testing protocols for crash avoidance technology are limited especially when vehicles are traveling at high speeds or faced with objects or shapes for which the system has not been designed. Testing procedures are also limited. The Committee encourages NHTSA to continue to find ways to rate these technologies and educate the Nation's consumers.

Crash test dummies that simulate variation in biofidelic features, including differences in size, age, and posture, as well as restraint and seating positions, including driver and passenger positions, are also limited. The Committee applauds the Department's work to expand its crash test procedures, which includes the testing of a small adult female frontal dummy, a small adult female side impact dummy, and a large child dummy, which simulates a 10-year old child, but believes additional testing variations in multiple seating positions, including the driver position should be considered. The Committee believes that exploring new test procedures and seating positions beyond those currently tested as part of FMVSS is critical for consumer awareness and safety.

In furtherance of these consumer awareness goals, the Committee also encourages NHTSA to include ratings on vehicle designs and systems related to pedestrian and bicyclist safety and injury criteria specific to older occupants when continuing to update the NCAP. The Committee is aware of NHTSA's ongoing work on a rulemaking to improve NCAP, including seeking public comment on advanced crash test dummies and testing procedures, and encourages the agency to complete this rule no later than October 1, 2020.

Child Hyperthermia Prevention.—In 2019, 52 children died from hyperthermia as a result of being left alone in hot motor vehicles. The Committee recommendation supports the heatstroke prevention campaign awareness program at no less than $3,000,000 as requested by the Department. The Committee directs NHTSA to continue and expand upon its public education and outreach efforts on child hyperthermia prevention, specifically to raise awareness of parents and caregivers. These efforts should include public messaging and involvement from a broad group of organizations, government agencies, medical professionals, and others who regularly interact with parents and the public. The Committee continues to direct NHTSA to identify potential areas of research related to technological advancements in unattended child reminder warning technology, and to counteract deaths of children from hyperthermia.

Speed Limiters.—On August 26, 2016, NHTSA and FMCSA issued a joint proposed rule requiring speed limiter devices on heavy vehicles. The Committee continues to remind the agencies to fully and expeditiously address all public comments from this proposed rule. The Committee encourages the Department to report to the House and Senate Committees on Appropriations on its schedule and plan for promulgating this regulation.

Drug Impaired Driving.—The elimination of substance impaired driving is a long-standing NTSB Most Wanted List "top 10" safety priority. According to a 2014 roadside survey of alcohol and drug use by drivers, which is the most recent data available, NHTSA found that 20 percent of surveyed drivers tested positive for at least one drug that could affect safety. Additionally, the proportion of fatally injured drivers who had drugs in their system rose from 13 percent in 2005 to 18 percent in 2009. In order to address this growing roadway safety problem, the NTSB has issued the following recommendations to NHTSA: (1) develop and disseminate to appropriate State officials a common standard of practice for drug toxicology testing; (2) develop and disseminate best practices, identify model specifications, and create a conforming products list for oral fluid drug screening devices; and (3) evaluate best practices and countermeasures found to be the most effective in reducing fatalities, injuries, and crashes involving drug-impaired drivers and provide additional guidance to the States on drug-impaired driving. The Committee expects NHTSA to work with other Federal agencies to address the NTSB recommendations which will be essential to standardize data collection and thereby provide a reliable benchmark to measure the effectiveness of laws, enforcement efforts, education, and other countermeasures. To that end, the Committee directs NHTSA to continue its collaborative partnership with the National Institute of Justice to complete the report on driver impaired technologies as required by Senate Report 115–275. The Committee supports NHTSA's drug driving initiative, research initiatives such as the collection of toxicology data in fatal accidents, and continued education and training efforts with law enforcement and prosecutors, such as drug recognition expert and advanced roadside impaired driving enforcement training. NHTSA should also issue clarifying guidance on the eligible uses of highway safety program grants for gathering data on individuals in fatal car crashes for substance impairments, where permissible under current law.

Tribal Safety Reporting.—The American Indian and Native Alaskan populations face high levels of motor vehicle crash injuries and death, and crash data is often underreported. The Committee recommendation includes up to $500,000 for NHTSA to improve existing Tribal crash and roadway safety data resources, such as the Tribal crash reporting toolkit and national Tribal transportation facility inventory. These two resources can be used to improve Tribal data collection, management, and analysis capabilities for both crash and roadway data. NHTSA should expand its toolkit, databases, outreach material, and guidance on how to use the tools to collect, manage, and analyze the resulting crash data. In order to build on existing data collection efforts and agency coordination to improve Tribal crash data, the Committee directs NHTSA to work with the Tribal transportation safety management system steering committee and to the extent practicable, with Indian Health Service and the Department of Justice's Office of Tribal Justice.

Automated Vehicle Occupants.—The Committee is concerned by the lack of validated crash models for occupants who will be traveling in automated vehicles. Initial reports from crashes involving automated vehicles suggest that injuries may be more severe due to alternate seating postures and configurations. A comprehensive, systematic experimental validation study is needed to understand injury outcomes for these future alternative seating configurations in automated vehicles to best address potential deficiencies in restraint systems and design. The Secretary is encouraged, through NHTSA, to partner with one or more academic institutions to develop an experimental validation study on occupants traveling in automated vehicles with alternative seating configurations.

Pedestrian Crash Data.—The Committee is concerned by the number of pedestrians injured on U.S. roadways and the lack of comprehensive models and methods to evaluate these injuries and their causes. Given that the last major NHTSA-funded pedestrian crash investigation in the United States was conducted using methods that are now over 20 years old, the need for updated data collection methodologies is long overdue. The Secretary is encouraged, through NHTSA, to partner with one or more academic institutions to develop modern pedestrian crash data collection protocols to assist with a more robust risk analysis.

Telematics.—Telematics, which is the technology that allows information to be remotely sent to and from a motor vehicle, has improved the safety and efficiency of motor vehicles. Vehicle manufacturers currently control access to the telematics data generated and transmitted by the vehicle, but some have raised concerns that the proprietary nature of this data may hinder consumers' choices in having independent car maintenance shops access such information remotely. The Committee is concerned about potential safety issues and encourages NHTSA to work with stakeholders.

Driver Alcohol Detection System for Safety [DADSS].—The Committee includes $5,300,000 for the Driver Alcohol Detection System for Safety [DADSS]. As NHTSA works to improve information sharing on the implementation and integration of impaired driving technology across the automotive industry and develops standards for impaired driving detection, the Committee expects NHTSA to report on any factors that may delay progress in these areas. The Committee encourages NHTSA to continue working with the Automotive Coalition for Traffic Safety to analyze the outcomes of the DADSS and looks forward to its report, as directed in fiscal year 2020.

Local Media.—In order to promote safety on highways and reduce fatalities during heavy roadway traffic periods, NHTSA develops and supports a variety of public awareness campaigns to encourage safe practices ranging from seatbelt usage to hyperthermia awareness. The Committee encourages NHTSA to continue outreach to the driving public through robust advertising initiatives, including using local television, radio, and newspaper media platforms. The Committee believes local media provides trusted, efficient mediums in order for these life-saving messages to be effectively delivered to local communities.

Education Safety Using Driving Automation.—The Committee is aware of the potential long-term benefits of incorporating driving automation into vehicles to reduce crashes and the Department's efforts to expand its media campaign and materials, research, and planning for consumer education campaigns related to the proper use of driver assistance technologies. However, there have been recent crashes where drivers failed to maintain responsible control of the operation of their vehicles by mistakenly treating driver assistance technologies as if they provided automation. As such, the Committee encourages NHTSA and its DOT partners to continue engaging with the driving public and interested stakeholders to develop appropriate public education campaigns focused on the capabilities, limitations, and safety benefits of available driver assistance features [SAE level 2 and below] and how they differ from the Automated Driving Systems [SAE level 3 and above] which are still being developed and tested. This ongoing public engagement and education should focus on optimizing the safe use of driver assistance technologies as they are integrated into the driving environment. The media and education content should focus on both driver responsibility to understand how to safely use the new assistance features and measures implemented by vehicle manufacturers to help drivers use them as intended.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Limitation, 2020	$623,017,000
Budget estimate, 2021	647,200,000
Committee recommendation	623,017,000

PROGRAM DESCRIPTION

The most recent surface transportation authorization, the FAST Act (Public Law 114–94), re-authorizes the section 402 State and community formula grants, the high visibility enforcement grants, and the consolidated National Priority Safety Program, which consists of occupant protection grants, State traffic safety information grants, impaired driving countermeasures grants, distracted driving grants, motorcycle safety grants, State graduated driver license grants, and non-motorized safety grants.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations of $623,017,000 and authority to liquidate an equal amount of contract authorization for the highway traffic safety grant programs funded under this heading. The recommended limitation is $24,183,000 less than the budget estimate and equal to the fiscal year 2020 enacted level.

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

The authorized funding for administrative expenses and for each grant program is as follows:

	Amount
Highway Safety Programs (section 402)	$279,800,000
National Priority Safety Programs (section 405)	285,900,000
High Visibility Enforcement Program	30,500,000
Administrative Expenses	26,817,000
Total	623,017,000

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

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

Section 141 exempts obligation authority, which was made available in previous public laws, from limitations on obligations for the current year.

Section 142 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] became an operating administration within the Department of Transportation on April 1, 1967. It incorporated the Bureau of Railroad Safety from the Interstate Commerce Commission, the Office of High Speed Ground Transportation from the Department of Commerce, and the Alaska Railroad from the Department of the Interior. FRA is responsible for planning, developing, and administering programs to achieve safe operating and mechanical practices in the railroad industry. Grants to the National Railroad Passenger Corporation [Amtrak] and other financial assistance programs to rehabilitate and improve the railroad industry's physical infrastructure are also administered by the Federal Railroad Administration.

SAFETY AND OPERATIONS

Appropriations, 2020	$224,198,000
Budget estimate, 2021	225,634,000
Committee recommendation	233,675,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recognizes the importance of taking a holistic approach to improving railroad safety and supports a comprehensive strategy of data-driven regulatory and inspection efforts, proactive approaches to identify and mitigate risks, and strategic capital investments in order to improve safety. The Committee recommends $233,675,000 for Safety and Operations for fiscal year 2021, which is $8,041,000 more than the budget request and $9,477,000 more than the fiscal year 2020 enacted level. The bill provides sufficient funding for all authorized safety inspectors and FRA programs. The Committee recommendation does not include the authority for the rail safety user fee collection included in the fiscal year 2021 budget request.

Automated Track Inspection Program [ATIP].—The Committee recommendation includes up to $16,500,000 for ATIP and urges FRA to continue to expand the use of ATIP vehicles to support the inspection of routes transporting passengers and hazardous materials.

Track Inspection Pilots.—The Committee is aware of six Class I railroads who successfully petitioned the FRA to suspend the frequency of visual track inspections that would otherwise be required to assess compliance with safety standards and waive certain safety inspection regulations in order to test industry-led automated track inspections for more than 7,600 combined track miles. The goal of these test programs is to determine the reliability of new automatic track geometry measurement system [ATGMS] technologies and how they can be used in place of or in combination with visual track inspections to improve rail safety. In order to allow the industry to test ATGMS technology, FRA used its authority under 49 CFR 211.51 to temporarily suspend substantive track inspection regulations and granted waivers from the requirements of 49 CFR 213.233(b)(3) and 49 CFR 213.233(c), which establish the number of visual track inspections that must be conducted within a certain period of time, conditioned on the observance of standards sufficient to assure safety.

The Committee is supportive of innovative technologies and processes that can lead to improved safety through technologies such as ATIP and other automated solutions. However, some have raised concerns with the safety of passengers and transportation of freight, including hazardous materials, across the network during the testing of this technology. While the test programs are designed to retain visual inspections at the required frequencies until certain safety metrics are achieved, the Committee is concerned that the reduction in visual inspections could result in an over-reliance on technology that is still being tested for overall effectiveness in detecting safety-related defects. Given the scale of these pilot inspection programs, which includes tracks that carry both passenger and hazardous materials and spans populous areas, the Committee believes FRA should continue to ensure that safety is not compromised at any point. As such, within 90 days of enactment of this Act, the Committee directs the FRA to: provide a report to the House and Senate Committees on Appropriations describing each technology system under evaluation, the method and metrics being used to evaluate the automated technology performance to achieve an equivalent or higher level of safety than the current visual inspection criteria, and how the FRA has independently and repeatedly validated system performance. Further, the report shall detail the FRA's process for evaluating the petitions, including how it ensured sufficient time for the public to review and respond to each petition and the scope of the proposed test program, as well as addressed all public comments received through the Federal register process prior to issuing its approval and initiating the test programs. As the FRA continues to evaluate these systems for any type of broader deployment, the Committee expects a thorough assessment of calibration requirements, operation standards, and maintenance recommendations that are necessary to sustain an acceptable level of performance, and how such technologies are to be verified, validated and certified by the FRA.

Positive Train Control [PTC].—The Committee commends the Department for helping railroads make progress towards full PTC system implementation. As of June 30, 2020, 55,375 of the 58,000 route miles required to implement PTC had done so. However, two railroads are still working toward fully implementing PTC systems by the statutory deadline of December 31, 2020, as required by the Surface Transportation Extension Act of 2015 (Public Law 114–73). The Committee directs the Department to report on railroads that are at risk of not meeting the PTC deadline to the House and Senate Committees on Appropriations prior to December 31, 2020. The Committee expects the Department to continue its work to provide technical assistance and expedite its review of safety technology solutions in order to ensure that all railroads are able to fully implement PTC and achieve interoperability by the December 31, 2020 deadline.

RAILROAD RESEARCH AND DEVELOPMENT

Appropriations, 2020	$40,600,000
Budget estimate, 2021	41,000,000
Committee recommendation	41,000,000

PROGRAM DESCRIPTION

The Railroad Research and Development program provides science and technology support for FRA's rail safety rulemaking and enforcement efforts. It also supports technological advances in conventional and high-speed railroads, as well as evaluations of the role of railroads in the Nation's transportation system.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $41,000,000 for railroad Research and Development, which is equal to the budget request and $400,000 more than the fiscal year 2020 enacted level.

Short Line Safety Institute [SLSI].—Short line railroads operate approximately 50,000 miles of track, which is one-third of the national railroad network, and are an important feeder system for the larger Class I railroads. There are 550 short line railroads operating in the United States, many with limited personnel and financial capital to conduct hazardous materials safety training and other operational safety assessments. The Committee remains supportive of FRA's efforts, in partnership with short line and regional railroads, to build a stronger, more sustainable safety culture in this segment of the rail industry. The Committee is aware of a recent case study analysis demonstrating the positive safety outcomes from SLSI's safety culture assessments. The Committee encourages future studies to examine railroad safety culture improvement barriers and the relationship between the assessment process and changes observed at the railroads. The Committee's recommendation includes $2,500,000 to fund the SLSI and its mission, including continued efforts to improve the safe transportation of crude oil, other hazardous materials, freight, and passenger rail.

Research Partnerships with Universities.—The Committee's recommendation includes up to $5,000,000 for partnerships with qualified universities on research related to improving the safety, capacity, and efficiency of the Nation's rail infrastructure, including $1,000,000 for research on intelligent railroad systems. This includes basic and applied research related to rolling stock; operational reliability; infrastructure; inspection technology; maintenance; energy efficiency; the development of rail safety technologies, such as positive train control; 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 be structured to facilitate the education and training of the next generation of professionals in rail engineering and transportation.

Natural Gas Research.—The Committee remains supportive of funding for high-horsepower natural gas engine research, development and deployment opportunities in rail applications. With the increase in availability and demand for natural gas, there is a need to identify transportation options to safely deliver the supply of natural gas. The Committee supports research projects that ensure all safety concerns are addressed in a direct matter. The Committee directs the FRA to continue to undertake comprehensive efforts in collaboration with the Pipeline and Hazardous Materials Safety Administration [PHMSA] to identify and address gaps in research regarding the risk of rail transportation of liquid natural gas [LNG]. This research should continue to consider stakeholder input and examine the operational and emission impacts of converting rail operations to natural gas. The research should consider the emissions benefits when converting freight-switchers and shortline railroad operations to natural gas, as well as the possible impacts of natural gas-powered railroad operations in non-attainment areas. The Department should continue to consider stakeholder input and previous research activities underway or previously conducted by the railroad industry. The Committee recommendation includes no less than $2,000,000 to support this research.

Blocked Crossings.—The Committee is pleased with FRA's progress to establish a website portal and corresponding database that allows the public and law enforcement to report blocked highway-rail grade crossings. This self-reporting database, combined with data collected from freight railroads, enables the agency to collect and track blocked crossings data in order to determine the extent of blocked railroad crossings nationally and identify the locations of frequent and long duration blocked crossings. The Committee expects that this data will serve as a basis for outreach to the communities and railroads, and support collaboration to prevent an incident from occurring. The Committee encourages FRA to continue to work with States, railroads, the public and law enforcement to increase and improve data on blocked crossings, and to consider requiring States to collect and submit data on blocked crossings, as well as incorporating blocked railroad crossing data in FRA grant-making decisions.

Safety Technologies.—The Committee continues to recognize that investments in critical rail infrastructure programs and technology will make our rails, railcars, and trains safer for all who use them. The Committee urges investments in electronic safety systems, as well as the development of technologies designed to verify the functional performance of these systems. The Committee recognizes the importance of deploying these technologies in both new and existing track and railcars around the country. The Committee continues to acknowledge the challenges that rail operators face in maintaining these highly advanced systems over their lifetime and urges the FRA to work with industry to develop standardized performance verification, test, diagnostics and repair for such systems.

Passenger Rail in Rural States.—The Committee directs the Department to examine the potential for new intercity or commuter passenger rail service connecting urban and suburban areas in the Northeast and the Midwest where a majority of residents live in rural areas. The study should be conducted by a non-partisan, nonprofit, independent policy research and policy education organization with a track record of work in other regional policy areas. The study should also explore the costs of new infrastructure investment and develop potential funding mechanisms for such service from Federal, State, and local governments, as well as the private sector. In addition, the study should consider the unique challenges of providing passenger rail service over short line railroads. The study could include the region as a whole and distinct segments within and between States and cities.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

PROGRAM DESCRIPTION

The Railroad Rehabilitation and Improvement Financing [RRIF] program was established by Public Law 109–178 to provide direct loans and loan guarantees to State and local governments, Government-sponsored entities, and railroads. Credit assistance under the program may be used for rehabilitating or developing rail equipment and facilities.

COMMITTEE RECOMMENDATION

The Committee recommendation allows the credit risk premium for RRIF loans to be eligible for grants under the National Infrastructure Investments account.

RRIF Credit Risk Premium [CRP].—The Committee directs DOT to expedite repayments for cohorts that have satisfied the terms of their loan agreements, and to diligently oversee the remaining cohort that has outstanding loans to ensure borrowers who have repaid their loans are able to receive their CRP once all loans have been satisfied.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR GRANTS

Appropriations, 2020	$200,000,000
Budget estimate, 2021	....
Committee recommendation	225,000,000

PROGRAM DESCRIPTION

The Federal-State Partnership for State of Good Repair Grant program provides support for capital projects that reduce the state of good repair backlog with respect to qualified railroad assets, as authorized under 49 U.S.C. 24911.

COMMITTEE RECOMMENDATION

The Committee recommends $225,000,000 for the Federal-State Partnership for State of Good Repair Grants [SOGR], which is $225,000,000 more than the budget request and $25,000,000 more than the fiscal year 2020 enacted level.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS GRANTS

Appropriations, 2020	$325,000,000
Budget estimate, 2021	330,000,000
Committee recommendation	340,000,000

PROGRAM DESCRIPTION

The Consolidated Rail Infrastructure and Safety Improvements [CRISI] Grants provide support for projects authorized under 49 U.S.C. 24407(c).

COMMITTEE RECOMMENDATION

The Committee recommends $340,000,000 for the CRISI Grants, which is $10,000,000 more than the budget request and $15,000,000 more than the fiscal year 2020 enacted level, of which 25 percent shall be available for projects in rural areas. The Committee notes that PTC-related implementation costs are eligible expenses and directs the Department to prioritize these funds for railroads most at risk of not meeting the PTC deadline of December 31, 2020. The Committee recognizes the importance of improving the safety of rail transportation, both freight and passenger, as well as improving the safety of our entire transportation network.

Use of CRISI Funds.—The Committee continues to encourage the Secretary to allow CRISI grantees to use grant funds for eligible non-construction expenses, such as the installation of onboard locomotive apparatuses, back office server technology, and other core functionalities of PTC. After obligation, the Secretary may reimburse recipients for such expenses even if such expenses were incurred before the completion of Federal environmental reviews conducted to support the obligation, as permitted by law. Maintenance and operations costs incurred after a PTC system is placed in revenue service are not eligible. FRA should also continue to consider CRISI planning grants that re-evaluate infrastructure capacity and scheduling to accommodate restoration of passenger service.

Quiet Zones.—The Committee is aware of the negative impact noise pollution can have on the residents, businesses, and schools in close proximity to crossings, particularly in urban areas with high numbers of crossings in a relatively short distance. In evaluating applications for CRISI funding, the Secretary shall give consideration to proposals that would mitigate crossing safety concerns on high volume tracks in populated areas and reduce the negative impacts on the community through the implementation of a quiet zone.

Federal Cost-Share.—The Committee is aware that the current authorization of the CRISI grant program requires the Secretary to give preference to projects that do not exceed 50 percent Federal cost-share. However, the Committee notes that the Secretary may give consideration to projects requesting a Federal cost-share of up to 80 percent, and urges the Secretary to do so for projects that address capacity concerns at intermodal facilities that will serve manufacturing and distribution facilities to foster intermodal connections.

RESTORATION AND ENHANCEMENT GRANTS

Appropriations, 2020	$2,000,000
Budget estimate, 2021	....
Committee recommendation	2,708,000

PROGRAM DESCRIPTION

The Restoration and Enhancement Grant program provides support for operating assistance and capital investments to initiate, restore, or enhance intercity passenger rail service, as authorized under 49 U.S.C. 24408.

COMMITTEE RECOMMENDATION

The Committee recommends $2,708,000 for Restoration and Enhancement Grants, which is $2,708,000 more than the budget request and $708,000 more than the fiscal year 2020 enacted level.

THE NATIONAL RAILROAD PASSENGER CORPORATION

Appropriations, 2020	$2,000,000,000
Budget estimate, 2021 [1]	936,466,000
Committee recommendation	2,000,000,000

[1] The budget estimate also included $550,000,000 in new budget authority for national network transformation grants to States to support operating cost of maintaining the national network.

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $2,000,000,000 for Amtrak, which is $1,063,534,000 more than the budget request and equal to the fiscal year 2020 enacted level.

The Committee directs FRA to make a timely disbursement of funds to maximize the Corporation's ability to efficiently manage its cash flow. Each year, Amtrak is responsible for significant one-time cash overflows at the beginning of the calendar year. In order to help facilitate these payments, the Committee directs the FRA to release adequate funding in the first quarter of the fiscal year in order to allow Amtrak to efficiently manage its financial obligations in a timely manner.

Amfleet Replacement.—The Committee recommendation includes $100,000,000 to support the acquisition of new single-level passenger equipment in proportion to the use of this equipment for Amtrak's Northeast Corridor, State-supported, and long-distance services. The Committee expects Amtrak to report to the House and Senate Committees on Appropriations on its progress to find a solution toward a shared fleet replacement cost model.

Charter Trains and Private Cars.—The Committee continues to applaud Amtrak's efforts to make itself financially more sustainable through a business-like approach to its operations. However, stakeholders continue to remain concerned with Amtrak's communication and implementation of new policies. In fiscal year 2020, the Committee directed Amtrak to report on the effects of its changes in policy to charter trains, special trains, and private trains, but stakeholders continue to express concerns with Amtrak's billing and pricing for private cars and charter trains. Amtrak is directed to once again report on the impact of its policies to charter trains and private trains in the fiscal year 2022 budget request, and to include the amounts and percentages by which revenues and usage declined, including separate figures for charter trains run with Amtrak-owned and with privately-owned cars. Amtrak should also continue to update the list of eligible locations for private car moves and continue to evaluate such locations going forward. Amtrak should continue to strive to improve public outreach and offer its stakeholders an opportunity to comment on policies that affect services prior to finalizing any such decisions

Amtrak Station Agents.—The explanatory statement to the Consolidated Appropriations Act, 2020 (Public Law 116–94) required Amtrak to provide station agents, which included either Amtrak ticket agents or caretakers, at all Amtrak stations that had a ticket agent position eliminated in fiscal year 2018. The Committee continues to direct Amtrak to provide a station agent in each Amtrak station that had a ticket agent position eliminated in fiscal year 2018. Amtrak is again directed to communicate and collaborate 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.

Budget and Business Plan.—The Committee continues to direct Amtrak to submit a business plan in accordance with section 11203(b) of Public Law 114–94 for fiscal year 2021. Amtrak shall continue to submit a budget request for fiscal year 2022 to the

House and Senate Committees on Appropriations in similar format and substance to those submitted by executive agencies of the Federal Government.

FRA Grant Administration and Report Streamlining.—The Committee recognizes that Amtrak fields a myriad of grant requirements from the FRA. The Committee is supportive of robust oversight by the FRA; however, to the extent practicable, the FRA is encouraged to work with Amtrak to reduce duplication and streamline their reporting requirements.

Food and Beverage.—The Committee urges Amtrak to provide food and beverage services in a cost effective manner consistent with available revenue and Federal funds. The Committee directs Amtrak to periodically update the House and Senate Committees on Appropriations on the food and beverage offerings, new initiatives, and operating loss, as appropriate.

Amtrak Police Department [APD].—The Committee continues to prohibit Amtrak from reducing the APD workforce below the staffing level on May 1, 2019. The Committee is aware of ongoing efforts by Amtrak to increase APD staffing levels in certain regions in order to address its emerging workforce needs and comply with the fiscal year 2020 directive, however, the Committee is concerned that some regions may experience a reduction in staff through attrition. The Committee directs Amtrak to prioritize the backfill of these positions in order to maintain sufficient staffing levels across regions.

The Committee included $5,000,000 in fiscal year 2020 for radios, repeaters, and related technology to improve APD's emergency response and coordination. The Committee expects that this funding will be used to improve communications and interoperability for all APD officers.

U.S. Services.—The Committee is concerned with any potential offshoring of services contracts and the potential displacement of U.S. labor. Amtrak should take the necessary affirmative steps to ensure the contracts for customer service, professional and IT services they execute, including such subsidiary services, shall be performed within the United States to the extent practicable. The Committee directs Amtrak to report to the House and Senate Committees on Appropriations within 90 days of enactment of this Act, summarizing what processes and procedures are in place to prevent or limit the offshoring of Amtrak services contracts.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

The Committee recommends $680,000,000 for Northeast Corridor Grants to Amtrak. The funding level provided includes no more than $5,000,000 for the use of the Northeast Corridor Commission established under section 24905 of title 49, United States Code; no less than $50,000,000 between the Northeast Corridor and National Network grants for ADA compliance; and $100,000,000 for Amfleet replacement.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

The Committee recommends $1,320,000,000 for National Network Grants to Amtrak. The funding level provided includes no more than $2,000,000 for use of the State-Supported Route Committee established in the FAST Act (Public Law 114–94) and at least $50,000,000 shall be for installation of safety technology on certain State-supported routes.

National Network Services.—Amtrak's long-distance routes provide much needed transportation access in hundreds of communities and for rural areas where mobility options are limited. Equally important are routes that provide service to rural areas from urban areas along the Northeast Corridor. During floor consideration of the Committee's fiscal year 2019 bill, the Senate voted 95–4 in favor of an amendment to express a sense of Congress that long-distance passenger routes should be sustained to ensure connectivity for the 4.7 million riders in 325 communities in 40 States that rely on this service. The Committee does not support proposals that will inevitably lead to long-term or permanent service cuts or segmentation of routes, which will lead to less service for rural communities.

On-Time Performance.—Amtrak's national network trains currently face significant delays, with on-time performance averaging below 50 percent. The Committee is aware of long-term negotiations between Amtrak and Class I freights on safety related features that have yet to be resolved, affecting service and on-time performance on certain State-supported routes. The Committee remains concerned that these delays compromise safety and reduce customer satisfaction, which inevitably reduces ridership and leads to increased reliance on Federal subsidies. The Committee is also aware of safety issues that can cause delays and lead to poor on-time performance, and encourages FRA to assist with developing interim and long-term solutions to improve safety where appropriate.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

Section 150 limits overtime payments to employees at Amtrak to $35,000 per employee. However, Amtrak's president may waive this restriction for specific employees for safety or operational efficiency reasons. If the cap is waived, Amtrak must notify the House and Senate Committees on Appropriations within 30 days and specify the number of employees receiving waivers and the total amount of overtime payments made to employees receiving waivers.

Section 151 prohibits the use of funds provided to Amtrak to reduce the total number of Amtrak Police Department uniformed officers patrolling on board passenger trains or at stations, facilities or rights-of-way below the staffing level on May 1, 2019.

Section 152 expresses the sense of Congress on Amtrak's long-distance passenger routes.

FEDERAL TRANSIT ADMINISTRATION

PROGRAM DESCRIPTION

The Federal Transit Administration [FTA] was established as a component of the Department of Transportation by Reorganization Plan No. 2 of 1968, effective July 1, 1968, which transferred most of the functions and programs under the Federal Transit Act of 1964, as amended (78 Stat. 302; 49 U.S.C. 1601 et seq.), from the Department of Housing and Urban Development. The missions of the FTA are: to help develop improved mass transportation systems and practices; to support the inclusion of public transportation in community and regional planning to support economic development; to provide mobility for Americans who depend on transit for transportation in both metropolitan and rural areas; to maximize the productivity and efficiency of transportation systems; and, to provide assistance to State and local governments and agencies in financing such services and systems.

COMMITTEE RECOMMENDATION

Under the Committee recommendations, a total program level of $13,016,803,462 is provided for FTA programs in fiscal year 2021. The recommendation is $194,979,538 less than the budget request and $106,455,000 more than the fiscal year 2020 enacted level.

	General fund	Highway trust fund	Total
Appropriation 2020	$2,760,000,000	$10,150,348,462	$12,910,348,462
Budget estimate, 2021	2,165,783,000	11,046,000,000	13,211,783,000
Committee recommendation	2,866,455,000	10,150,348,462	13,016,803,462

ADMINISTRATIVE EXPENSES

Appropriations, 2020	$117,000,000
Budget estimate, 2021	121,052,000
Committee recommendation	121,052,000

PROGRAM DESCRIPTION

Administrative expenses fund personnel, contract resources, information technology, space management, travel, training, and other administrative expenses necessary to carry out FTA's mission to support, improve, and help ensure the safety of public transportation systems.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $121,052,000 from the general fund for the agency's salaries and administrative expenses. The recommended level of funding is equal to the budget request and $4,052,000 more than the fiscal year 2020 enacted level.

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

Full Funding Grant Agreements [FFGAs].—Section 5309(k) of title 49, U.S.C. 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, 30 days before executing a FFGA. In its notification to the House and Senate Committees on Appropriations, the Committee directs FTA to submit the following information: (1) a copy of the proposed FFGA; (2) the total and annual Federal appropriations required for the project; (3) the yearly and total Federal appropriations that can be planned or anticipated for existing FFGAs for each fiscal year through 2022; (4) a detailed analysis of annual commitments for current and anticipated FFGAs against the program authorization, by individual project; (5) a financial analysis of the project's cost and sponsor's ability to finance the project, which shall be conducted by an independent examiner and which shall include an assessment of the capital cost estimate and finance plan; (6) the source and security of all public and private sector financing; (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 also directs FTA to inform the House and Senate Committees on Appropriations in writing 30 days before approving schedule, scope, or budget changes to any FFGA. Correspondence relating to all changes shall include any budget revisions or program changes that materially alter the project as originally stipulated in the FFGA, including any proposed change in rail car procurement.

The Committee directs FTA to continue to provide a monthly capital investment grant program update to the House and Senate Committees on Appropriations, detailing the status of each project. This update should include anticipated milestone schedules for advancing projects, especially those within 2 years of a proposed FFGA. It should also highlight and explain any potential cost and schedule changes affecting projects.

Coordinating Council on Access and Mobility.—In 2020, the Committee directed the coordinating council on access and mobility to develop a plan, and report to Congress within 180 days, with options to eliminate duplication, provide efficient service for people in need, and increase coordination between the various Federal departments operating programs for the transportation-disadvantaged. The Committee maintains the requirement and directs the Department to provide a status update on the report.

Commuter Rail Service in States Neighboring Washington, DC.—The Committee is concerned that public transportation service for Federal workers in the Washington, DC area may become disrupted for those living in nearby States if service is suspended or terminated on lines relied upon by employees. The Committee encourages FTA to work with States to help them maintain rail service providing commuter access to Washington, DC.

Office of Regional Services.—The Committee supports the FTA's request to create a new Office of Regional Services at headquarters to oversee all regional field operations consistent with the reprogramming request submitted by the Secretary to the House and Senate Committees on Appropriations on August 18, 2020. This new office shall be led by the Associate Administrator for Regional

Services, which is to be a career executive position, and will support regional operations.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Obligation limitation (trust fund)
Appropriations, 2020	$10,150,348,462
Budget estimate, 2021	11,046,000,000
Committee recommendation	10,150,348,462

PROGRAM DESCRIPTION

Communities use formula grants funds for bus and railcar purchases, facility repair and construction, maintenance, and where eligible, planning and operating expenses. The formula grants account includes funding for the following programs: transit-oriented development; planning programs; urbanized area formula grants; enhanced mobility for seniors and individuals with disabilities; a pilot program for enhanced mobility; formula grants for rural areas; public transportation innovation; technical assistance and workforce development, including a national transit institute; a bus testing facility; the national transit database; state of good repairs grants; bus and bus facilities formulas grants; and growing States and high-density States formula grants. Set-asides from formula funds are directed to a grant program for each State with rail systems not regulated by the Federal Railroad Administration to meet the requirements for a State Safety Oversight program. The account also provides funding to support passenger ferry services and public transportation on Indian reservations.

COMMITTEE RECOMMENDATION

The Committee recommends limiting obligations in the transit formula and bus grants account in fiscal year 2021 to $10,150,348,462. The recommendation is $895,651,538 less than the budget request and equal to the fiscal year 2020 enacted level. The Committee recommends $10,800,000,000 in authority to liquidate contract authorizations. This amount is sufficient to cover outstanding obligations from this account.

Buses and Bus Facilities Grant Program.—The Committee continues to support the FAST Act's (Public Law 114–94) inclusion of competitive grants in the buses and bus facilities grant program and continues to encourage 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.

Low-Emissions Transit in Non-Attainment Areas.—The Committee directs FTA to partner with experienced transit research consortia to research best practices for increasing deployment of low-emissions public transportation in non-attainment areas.

Improving Rural Transit Access.—The Committee continues to recognize the importance of ensuring safe, private transportation is made available for seniors and people who do not drive, especially in small and rural communities where distance and low population density make traditional mass transportation difficult. The efficiencies of information management can help to provide on-demand transportation services and bring together underutilized private transportation capacity through ride share, car share, volunteer transport, and private community transport. The Committee encourages FTA to consider innovative transportation networks that leverage community volunteerism and private resources in various forms to access underutilized private transportation capacity to promote inclusive community mobility and provide transportation for seniors and disadvantaged populations in small and rural communities. Further, the Committee supports increasing the capacity of consumers to plan their travel safely, independently, and reliably through a variety of techniques and tools.

Small and Rural Transit Agencies.—The Committee is concerned that the FTA has awarded some competitive grants that are lower than the minimum funding amount identified by the applicant. Small and rural transit agencies, in particular, have a difficult time making up the funding differential, effectively leaving them far behind larger transit agencies when it comes to implementing the newest U.S.-made clean technologies and maintaining their fleets in a state of good repair. To better ensure the effectiveness of grant awards, the Committee directs the FTA to award grants at levels that are adequate for transit agencies to initiate their projects.

Innovative Procurement.—The Committee directs FTA to continue to permit procurement partnerships in fiscal year 2022 grant awards for the Low or No Emissions Bus Program in the same manner as in previous fiscal years. The Committee also encourages FTA to promote greater use of the innovative procurement authorities for technologically advanced buses that were established by section 3019 of the FAST Act (Public Law 114–94), including separate battery lease agreements. The FTA should provide technical assistance to States regarding the development of State schedules that are consistent with Federal law, take steps to ensure that FTA funds purchases by transit agencies off of State schedules from other States that comply with Federal requirements, and use webinars and stakeholder events to make transit agencies more aware that they may purchase off of State schedules regardless of location.

Transit Vehicle Innovation Deployment Centers [TVIDC] Project.—The Committee remains keenly interested in the TVIDC project which provides critical research and technical assistance to advance innovation in transit. In particular, the vehicle testing facilities that are supported by TVIDC provide a platform to evaluate new components and technologies that can create additional domestic manufacturing opportunities and advance development of innovative technologies important to the economy and U.S. global competitiveness. The Committee commends FTA's execution of the

TVIDC program to date that supports transit resiliency, automation, cybersecurity, and expansion of transit vehicle technology into small and rural fleets and expects the agency to provide ongoing support to ensure the continuation of U.S.-developed research and technology projects.

Low or No Emission Bus Program.—The Committee directs FTA to implement the low or no emission section 5339(c) competitive grant program in a manner that encourages a variety of different fuel types including electric, natural gas, hydrogen and other alternative fuel types. FTA should give consideration for procurements that reduce an agency's overall greenhouse gas emissions and takes into consideration the resources available to the agency to do so. The Committee reminds FTA that for some agencies, the transition to zero emission requires the use of low emission buses to bridge funding and technology gaps.

TRANSIT INFRASTRUCTURE GRANTS

Appropriations, 2020	$510,000,000
Budget estimate, 2021	....
Committee recommendation	701,713,000

PROGRAM DESCRIPTION

The Committee provides funding for transit infrastructure grants to address targeted capital, operating, and state of good repair needs for public transportation providers and services across America.

COMMITTEE RECOMMENDATION

The Committee recommends an additional $701,713,000 in transit infrastructure grants to remain available until expended, which is $191,713,000 less than the fiscal year 2020 enacted level and $701,713,000 more than the budget request. Of the funds provided: (1) $446,000,000 is available for buses and bus facilities grants authorized under 49 U.S.C. 5339, of which $223,000,000 is provided for formula grants, and $223,000,000 is provided for competitive grants; (2) $80,000,000 is provided for low or no emission grants authorized under 49 U.S.C. 5339(c); (3) $45,000,000 is provided for formula grants for rural areas authorized under 49 U.S.C. 5311; (4) $45,000,000 is provided for high density State apportionments authorized under 49 U.S.C. 5340(d); (5) $45,000,000 is provided for state of good repair grants authorized under 49 U.S.C. 5337; (6) $19,713,000 is provided for ferry boat grant grants authorized under 49 U.S.C. 5307(h); (7) $1,713,000 is provided for bus testing facilities authorized under section 5318 of such title; and (8) $20,000,000 is available for areas of persistent poverty. The Committee recommendation includes funding from the general fund, and the funding is not subject to any limitation on obligations.

TECHNICAL ASSISTANCE AND TRAINING

Appropriations, 2020	$5,000,000
Budget estimate, 2021	....
Committee recommendation	5,000,000

PROGRAM DESCRIPTION

The FAST Act (Public Law 114–94) authorizes FTA to provide technical assistance under section 5314 of title 49 for human resource and training activities, and for workforce development programs.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $5,000,000 for technical assistance and training, which is $5,000,000 more than the budget request and equal to the enacted level. The Committee recognizes the need among transit providers serving small cities and rural communities for technical assistance to help them take advantage of new technologies, including ride-hailing applications, autonomous shuttles, and micro-transit innovations that are transforming how Americans use public transportation. This funding will provide rural and small city transit operators with hands-on technical assistance that will assist with the adoption of these new tools.

The Committee expects funding under this heading to address workforce development needs within the public transportation industry, in addition to technical assistance and training to increase mobility for people with disabilities and older adults.

Cooperative Agreements.—In 2019, the Committee required the Department to establish a technical assistance center through a cooperative agreement to assist small urban, rural, and Tribal public transit recipients and planning organizations with applied innovation and capacity building. In fiscal year 2021, the Committee provides $1,500,000 and directs the Department to continue this technical assistance center agreement.

CAPITAL INVESTMENT GRANTS

Appropriations, 2020	$1,978,000,000
Budget estimate, 2021	1,888,690,000
Committee recommendation	1,888,690,000

PROGRAM DESCRIPTION

Under the Capital Investment Grants [CIG] program, FTA provides grants to fund the building of new fixed guideway systems or extensions and improvements to existing fixed guideway systems. Eligible services include light rail, rapid rail (heavy rail), commuter rail, and bus rapid transit. The program includes funding for four categories of eligible projects authorized under 49 U.S.C. 5309, and section 3005(b) of the FAST Act (Public Law 114–94): new starts, small starts, core capacity, and the expedited project delivery pilot program. New Starts are projects with a Federal share under this section of at least $100,000,000 or a total net capital cost of at least $300,000,000. By comparison, small starts are projects with a Federal share under this section of less than $100,000,000 and total net capital cost less than $300,000,000. Core capacity projects are those that will expand capacity by at least 10 percent in existing fixed-guideway transit corridors that are already at or above capacity, or are expected to be at or above capacity within 5 years. The FAST Act authorizes eight projects under the expedited project delivery pilot program, consisting of new starts, small starts, or core capacity that require no more than a 25 percent Federal share and are supported, in part, by a public private partnership.

COMMITTEE RECOMMENDATION

The Committee recommends $1,888,690,000 for capital investment grants, which is $89,310,000 less than the fiscal year 2020 enacted level, and equal to the request. The Committee recommendation includes $1,120,000,000 for new starts projects authorized under 49 U.S.C. 5309(d), $400,000,000 for core capacity projects authorized under 49 U.S.C. 5309(e), $199,790,000 for small starts projects authorized under 49 U.S.C. 5309(h), $150,000,000 for expedited project delivery for capital projects authorized under section 3005(b) of the FAST Act (Public Law 114–94), and $18,900,000 for oversight activities.

Project Pipeline.—The Committee remains concerned by indications that the Department is not advancing eligible transit projects into project development, engineering, and construction through the statutory capital investment grant evaluation, rating, and approval process contrary to the Committees clear directives. These delays are costly for local project sponsors and create uncertainty for transit planners and providers across the country. The Committee directs the Secretary to continue to advance eligible projects into project development and engineering in the capital investment grant evaluation, rating, and approval process pursuant to 49 U.S.C. 5309 and section 3005(b) of the FAST Act (Public Law 114–94) in all cases when projects meet the statutory criteria. Current law and this act prohibit the Department from discriminating against projects based on the extent of local financial commitment or geographic diversity. Further, the FTA is prohibited from publishing any revised programmatic guidance.

Program Implementation.—FTA has failed to issue regulations establishing the evaluation and rating process for core capacity improvement projects, and has failed to establish a program of interrelated projects that would allow for the simultaneous development of more than one project within the CIG program. The Committee encourages FTA to continue to work with Congress to implement a program that streamlines procurements by combining multiple projects and directs the Department to implement the May 2018 GAO recommendations within 60 days of the date of enactment of this act.

Pilot Program for Expedited Project Delivery Program.—The Committee strongly supports exploration of the use of public-private partnerships in public transportation as authorized under the Pilot Program for Expedited Project Delivery Program. The Committee urges FTA to continue efforts to implement the pilot program expeditiously. The Committee directs the FTA to continue to work with current and potential project sponsors to provide transparent information about the selection process and the method by which future interested project sponsors are able to participate in the program. The Committee urges FTA to provide additional information to the Committee regarding funding requirements and potential disbursement schedules of funds. The Committee directs the FTA to report to Congress within 180 days of enactment of this act on the status of issuance of funding opportunities related to the implementation of this program, including project selections made and funding and financing plans associated with the selected projects.

Annual Report on Funding Recommendations.—The Committee directs the Secretary to submit the fiscal year 2022 annual report on funding recommendations required by 49 U.S.C. 5309(o), and directs the Secretary to maintain the Federal Government funding commitments for all existing grant agreements and identify all projects with a medium or higher rating that anticipate requesting a grant agreement in fiscal year 2022.

Addressing Urban Transportation Challenges.—The Committee is concerned about urban transportation challenges relating to equity, access, and sustainability, including improving mobility options for transportation-challenged communities and ensuring the continued relevance of public transportation despite decreases in ridership, particularly in cities with dense urban populations. In addressing these challenges, FTA is directed to leverage research conducted by minority serving institutions located in an urbanized area and that partner with local metropolitan planning organizations.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Appropriations, 2020	$150,000,000
Budget estimate, 2021	150,000,000
Committee recommendation	150,000,000

PROGRAM DESCRIPTION

This appropriation provides assistance to the Washington Metropolitan Area Transit Authority [WMATA].

COMMITTEE RECOMMENDATION

The Committee recommendation includes $150,000,000 for grants to WMATA for capital and preventive maintenance expenses, including pressing safety-related investments, which is equal to the budget request and the fiscal year 2020 enacted level. These grants are in addition to the Federal formula and competitive grant funding WMATA receives as well as the funding local jurisdictions have committed to providing to WMATA. The Committee directs WMATA, the local jurisdictions, and FTA to continue to work with relevant authorizing committees on a surface transportation authorization bill and on reforms necessary to ensure that any future Federal resources will be used efficiently.

Financial Management.—The bill directs the Secretary to provide grants to WMATA only after receiving and reviewing a request for each specific project to be funded under this heading. The bill requires the Secretary to determine that WMATA has placed the highest priority on funding projects that will improve the safety of its public transit system before approving these grants, using the recommendations and directives of the NTSB, FTA, and the Washington Metrorail Safety Commission as a guide. The Committee encourages the Secretary and WMATA to consider efficiencies that can be leveraged in the procurement of capital and preventative maintenance expenses.

Wireless Service Extension.—The Committee provides another 1-year extension for the wireless service requirement in the authorization statute. The Committee understands that WMATA expects to finish the work in fiscal year 2021. The Committee directs WMATA to incorporate the installation of wireless infrastructure into any anticipated track and station closures and regularly scheduled maintenance where feasible to expedite provision of wireless service.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

Section 160 exempts authority previously made available for programs of the FTA under section 5338 of title 49, United States Code, from the obligation limitations in this act.

Section 161 allows funds provided in this act for fixed-guideway capital investment projects that remain unobligated by September 30, 2024 to be available for projects to use the funds for the purposes for which they were originally provided.

Section 162 allows funds appropriated before October 1, 2020, that remain available for expenditure to be transferred to the most recent appropriation heading.

Section 163 prohibits the use of funds to adjust apportionments pursuant to 26 USC 9503(e)(4).

Section 164 permits recipients of low or no emission bus grants to continue to partner with non-profits and companies as part of their grant applications.

Section 165 prohibits the use of funds to impede or hinder project advancement or approval for any project seeking a Federal contribution from the Capital Investment Grant program of greater than 40 percent of project costs.

Section 166 prohibits the use of funds to implement or to further new CIG policies such as those detailed in the June 29, 2018, FTA "Dear Colleague" letter.

Section 167 permits recipients of section 5312(h) funds to use the funds for infrastructure in order to expand bus and component testing capability.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

PROGRAM DESCRIPTION

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

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

Appropriations, 2020	$38,000,000
Budget estimate, 2021	30,700,000
Committee recommendation	30,700,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $30,700,000 for the operations, maintenance, and capital asset renewal activities of SLSDC, of which not less than $10,500,000 is provided for seaway infrastructure activities. This amount is equal to the budget request and $7,300,000 less than the fiscal year 2020 enacted level.

Seaway Infrastructure Program.—SLSDC has spent $161,000,000 for a total of 55 maintenance and capital infrastructure projects between fiscal years 2009 and 2019 in the Asset Renewal Program. These investments sustained safe and efficient operations of the Seaway, as well as accommodated future growth. The Committee supports the budget request to realign projects strategically from the former Asset Renewal Program to a separate Seaway Infrastructure account that assesses capital projects on a 5-year planning cycle. It will ensure that aging machinery, equipment, and parts are rehabilitated or replaced; buildings for employees and the public, grounds, and utilities are sufficiently maintained; and commercial trade can continue to move on the Seaway safely. The Committee directs SLSDC to submit an annual report to the House and Senate Committees on Appropriations, not later than April 30, 2021 summarizing the activities of the Seaway Infrastructure Program during the immediate preceding fiscal year and overall 5-year plan.

Seaway Vessel Traffic Flow Management System.—The Committee supports the development and implementation of the seaway vessel traffic flow management system, as well as the budget request to complete Phases I and II of this project. The Committee directs SLSDC to ensure the funds provided for this project are used to clearly define stakeholder requirements, perform engineering and human factors analyses, and prepare the necessary system design documents that are required for system development efforts.

MARITIME ADMINISTRATION

PROGRAM DESCRIPTION

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

MARITIME SECURITY PROGRAM

Appropriations, 2020	$300,000,000
Budget estimate, 2021 [1]	293,454,000
Committee recommendation [2]	314,000,000

[1] Includes $314,007,780 in new budget authority and a rescission of $20,553,780.
[2] Includes $10,000,000 from unobligated balances from prior year appropriations.

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $314,000,000 for the MSP, of which $10,000,000 shall be from unobligated balances from prior year appropriations. This total amount is $20,546,000 more than the budget request and $14,000,000 more than the fiscal year 2020 enacted level. The Committee recommendation does not rescind unobligated balances as proposed in the budget request.

CABLE SECURITY FLEET

Appropriations, 2020	....
Budget estimate, 2021	....
Committee recommendation	$10,000,000

PROGRAM DESCRIPTION

Section 3521 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) authorized the establishment of the cable security fleet program. The purpose of the cable security fleet program is to establish and maintain a fleet of United States-documented cable vessels to meet the national security requirements of the United States. The cable security fleet program will provide payments to U.S. flagship commercial vessel operators that provide cable services upon the request of the United States.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $10,000,000 for the cable security fleet program, consistent with the authorized funding level.

OPERATIONS AND TRAINING

Appropriations, 2020	$152,589,000
Budget estimate, 2021	137,797,000
Committee recommendation	152,589,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $152,589,000 for Operations and Training. This amount is $14,792,000 more than the budget request and equal to the fiscal year 2020 enacted level. The Committee recommendation supports the proposed non-budgetary organizational realignment for a new Office of Policy and Strategic Engagement and the Office for Maritime Industry Support. The Committee recommendation does not approve the transfer of any personnel or activities for the administration of Title XI maritime guaranteed program. The following table provides funding levels for activities within this account:

	2021 Request	2021 Recommendation
USMMA Operations	$76,444,000	$76,444,000
USMMA Facilities Maintenance and Repair, Equipment	5,500,000	8,997,000
MARAD Headquarters	55,853,000	55,853,000
Marine Enviro. & Tech. Assistance	....	3,000,000
Short Sea Transportation Program (Marine Highways)	....	8,295,000
Total	137,797,000	152,589,000

Sexual Assault and Sexual Harassment [SASH] at USMMA.— The Committee is optimistic that the preliminary report on sexual harassment and sexual assault from the 2017–2018 academic year survey and report suggests that the Academy is making progress towards addressing sexual assault and harassment of Midshipmen. In particular, prioritizing staffing of the Sexual Assault Response Coordinator office and providing resources to Midshipmen during Sea Year demonstrate to the Committee that the Department is beginning to take the recommendations from its corrective action plans more seriously. As the Department implements the requirements from section 3506 of Public Law 115–232 regarding concurrent criminal jurisdiction over USMMA, the Committee encourages the Department to continue prioritizing these issues and to ensure that the newly implemented policies are effectively enforced.

United States Merchant Marine Academy [USMMA] Capital Improvements Plan [CIP].—The Committee has invested over $284,000,000 into the Academy's CIP since the program began in 2001, of which $104,000,000 remains unobligated as of the budget request. Much of the bottle neck in executing the modernization of academic facilities is due to limitations on instructional relocation during construction. Project delays may also be attributed to ever-changing planning and project re-prioritization, the lack of qualified staff to effectively manage the size and scope of projects at the Academy, and to the lack of headquarters capacity to facilitate and oversee multiple capital projects. The Academy also faces an extensive $40,000,000 maintenance backlog due to similar challenges. The Committee is encouraged by the USMMA-U.S. Army Corp of Engineers partnership to bundle capital projects and increase the use of design-build project execution. The Committee fully supports the mission of the Academy and investing into an academic institution that facilities a premier education for the future of the maritime industry.

The Committee directs the Administrator to provide an annual report by March 31, 2021, on the current status of the CIP. The delivery of this report in a timely manner is essential to the Committee's oversight and funding determinations for the future fiscal years. The report should include: a list of all projects that have received funding and all proposed projects that the Academy intends to initiate within the next 5 years; cost overruns and cost savings for each active project; specific target dates for project completion; delays and the cause of delays; schedule changes; up-to-date cost projections for each project; and any other deviations from the previous year's CIP. The Committee encourages the Academy to consider its ability to sequence and manage contracts as it establishes its capital priorities.

Centers of Excellence for Domestic Maritime Workforce Training and Education.—The Committee continues to support MARAD's efforts to designate certain eligible and qualified training entities as centers of excellence for domestic maritime workforce training and education, and to help provide technical education and training programs that will secure the talent pipeline for the Nation's maritime workforce. MARAD may use existing resources to expand their capacity to provide maritime and marine technology workforce training, where permissible under current law.

Secure Composite Shipping Containers.—The Committee is aware of Presidential Determination No. 2017–09, which identifies a critical item shortfall of industrial capacity related to secure composite shipping containers, and concurs with this determination. Considering that containers are an integral part of maritime operations, and a domestic secure container capability is important to meet secure shipping guidelines established under the SAFE Port Act of 2006, the Committee encourages MARAD to collaborate with the Federal Maritime Commission, Department of Defense and Department of Homeland Security to support transition of this secure composite shipping container into wider use to provide increased security, shipment visibility, and cargo facilitation. Specifically, the Committee directs MARAD to use the existing short sea transportation grant program to promote and provide funding for such containers, if eligible.

STATE MARITIME ACADEMY OPERATIONS

Appropriations, 2020	$342,280,000
Budget estimate, 2021	337,700,000
Committee recommendation	432,700,000

PROGRAM DESCRIPTION

The Committee provides funding for the six State Maritime Academies [SMAs] to support the training and education of the Nation's marine transportation work force. Funding provided supports financial assistance for the SMAs as well as upkeep, maintenance, and operation of the school's training ships.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $432,700,000 for State Maritime Academy Operations. The following table provides funding levels for activities within this account.

	2021 Request	2021 Recommendation
Schoolship Maintenance and Repair	$30,500,000	$30,500,000
Training Vessel Sharing	*8,500,000*	*8,500,000*
NSMV Program	300,000,000	390,000,000
Student Incentive Program	2,400,000	2,400,000
Fuel Assistance Payments	1,800,000	3,800,000
Direct Payments for SMAs	3,000,000	6,000,000
Total	337,700,000	432,700,000

National Security Multi-Mission Vessel [NSMV].—The Committee continues to support the NSMV program, which will provide five new training vessels for the SMAs. The committee expects MARAD to continue vigorous oversight of the vessel construction manager, as well as the shipyard, to ensure that delivery of these vessels comes in on budget and on time. In addition, MARAD should enter into the contract option for all vessels as soon as possible upon enactment of funds by Congress in order achieve maximum cost savings. MARAD should provide quarterly updates to the House and Senate Committees on Appropriations on progress of the NSMVs program, and provide immediate notification of any substantial risks to the construction schedule or cost.

Insurance.—The Committee recommendation supports the additional cost of protection and indemnity insurance for state maritime academy training vessels, which are owned by the federal government, under the schoolship maintenance and repair set aside.

ASSISTANCE TO SMALL SHIPYARDS

Appropriations, 2020	$20,000,000
Budget estimate, 2021	....
Committee recommendation	20,000,000

PROGRAM DESCRIPTION

As authorized under section 54101 of title 46, 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 recommendation includes $20,000,000 for assistance to small shipyards. This level of funding is equal to the fiscal year 2020 enacted level, and $20,000,000 above the President's request. Funding for this program is intended to help small shipyards improve the efficiency of their operations by providing funding for equipment and other facility upgrades. The funding recommended by the Committee will help improve the competitiveness of our Nation's small shipyards, as well as workforce training and apprenticeships in communities dependent upon maritime transportation.

SHIP DISPOSAL

Appropriations, 2020	$5,000,000
Budget estimate, 2021[1]	−2,603,172
Committee recommendation	4,200,000

[1] Includes $4,200,000 in new budget authority and a rescission of $6,803,172.

PROGRAM DESCRIPTION

The Ship Disposal account provides resources to dispose of obsolete merchant-type vessels of 150,000 gross tons or more in the National Defense Reserve Fleet. MARAD contracts with domestic shipbreaking companies to dismantle these vessels in accordance with guidelines established by the Environmental Protection Agency.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,200,000 for MARAD's Ship Disposal program. This level of funding is $800,000 less than the fiscal year 2020 enacted level and $6,803,172 more than the budget request.

MARITIME GUARANTEED LOAN PROGRAM [TITLE XI]

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2020	$3,000,000
Budget estimate, 2021[1]	−27,900,000
Committee recommendation	3,000,000

[1] Assumes a transfer of the Title XI program to the Office of the Secretary and includes a rescission of $27,900,000.

PROGRAM DESCRIPTION

The Maritime Guaranteed Loan program was established pursuant to title XI of the Merchant Marine Act of 1936 (Public Law 74–835), as amended. The program provides for a full faith and credit guarantee by the U.S. Government of debt obligations issued by: (1) U.S. or foreign ship-owners for the purposes of financing or refinancing either U.S.-flag vessels or eligible export vessels constructed, reconstructed, or reconditioned in U.S. shipyards; and (2) U.S. shipyards, for the purpose of financing advanced shipbuilding technology of privately owned general shipyard facilities located in the United States. Under the Federal Credit Reform Act of 1990 (Public Law 101–508), appropriations to cover the estimated costs of a project must be obtained prior to the issuance of any approvals for title XI financing.

COMMITTEE RECOMMENDATION

The Committee provides an appropriation of $3,000,000 for administrative expenses of the maritime guaranteed loan title XI program. This level of funding is $30,900,000 above the President's budget request and equal to the fiscal year 2020 enacted level. The Committee rejects the budget request to move Title XI to the Office of the Secretary.

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

Appropriations, 2020	$225,000,000
Budget estimate, 2021	....
Committee recommendation	200,000,000

PROGRAM DESCRIPTION

The Port Infrastructure Development program is authorized in section 50302 of title 46, United States Code to provide grants for the improvement of port facilities.

COMMITTEE RECOMMENDATION

The Committee recommendation includes $200,000,000 for the port infrastructure development program, which is $25,000,000 below the enacted level and $200,000,000 above the budget request.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Section 170 authorizes MARAD to furnish utilities and to service and make repairs to any lease, contract, or occupancy involving Government property under the control of MARAD. Rental payments received pursuant to this provision shall be credited to the Treasury as miscellaneous receipts.

Pipeline And Hazardous Materials Safety Administration

The Pipeline and Hazardous Materials Safety Administration [PHMSA] was established within the Department of Transportation on November 30, 2004, pursuant to the Norman Y. Mineta Research and Special Programs Improvement Act (Public Law 108–426). PHMSA is responsible for the Department's pipeline safety program as well as oversight of hazardous materials transportation safety operations. The agency is dedicated to safety, including the elimination of transportation-related deaths and injuries associated with hazardous materials and pipeline transportation, and to promoting transportation solutions, which enhance communities and protect the environment.

OPERATIONAL EXPENSES

Appropriations, 2020	$24,215,000
Budget estimate, 2021	24,215,000
Committee recommendation	26,715,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $26,715,000 for this account, of which $1,500,000 shall be for pipeline safety information grants to communities and $1,000,000 shall be for emergency response grants. The Committee's recommendation is $2,500,000 more than the budget request and $2,500,000 more than the fiscal year 2020 enacted level. The Committee recommendation assumes an extension of fiscal year 2020 funding levels for fiscal year 2021 for all programs authorized by the Protecting our Infrastructure of Pipelines and Enhancing Safety [PIPES] Act of 2016 (Public Law 114–83).

Emergency Response Grants.—Local emergency responders are on the frontline of protecting people, property and the environment from the harmful effects of hazardous pipeline accidents or incidents. According to the International Association of Fire Chiefs, 60 percent of the Nation's fire departments provide hazmat and pipeline emergency response, but the Committee is concerned they lack the formal training necessary to safely handle and address pipeline accidents or incidents. The Committee recommendation includes $1,000,000 for Emergency Response grants to State and local governments to provide safety training programs preparing first responders for hazardous materials and pipeline incident response. The training gap disproportionately affects rural communities, where nearly 80 percent of fire departments do not have such training. The Committee directs PHMSA to expand emergency response grants to rural communities, to the extent permissible under current law, and work with relevant authorizing committees to expand grant eligibility to non-profit organizations providing emergency response training and to areas outside of high consequence areas.

Aboveground Storage Tanks.—Aboveground storage tanks are critical to the supply chain of oil and must be properly inspected and maintained in order to avoid corrosion, which can lead to leaks and harmful exposure to hazardous materials. The Committee is aware of new corrosion control technologies that may serve as an alternative to the cathodic protection system for leak prevention in aboveground storage tanks. As such, the Committee directs PHMSA to conduct a review of corrosion control techniques for leak prevention of regulated aboveground storage tanks, identifying new techniques that may be used to improve leak prevention. Not later than 1 year after the date of enactment of this Act, PHMSA shall submit to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science and Transportation a report detailing the findings on supplementary or alternative techniques to cathodic protection systems and the application of those corrosion control techniques to aboveground storage tanks.

HAZARDOUS MATERIALS SAFETY

Appropriations, 2020	$61,000,000
Budget estimate, 2021	60,700,000
Committee recommendation	63,000,000

PROGRAM DESCRIPTION

PHMSA oversees the safety of more than one million hazardous materials shipments daily within the United States, using risk management principles and security threat assessments in order to fully review and reduce the risks inherent in hazardous materials transportation.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $63,000,000 for hazardous materials safety, of which $11,000,000 shall remain available until September 30, 2023. The amount provided is $2,300,000 more than the budget request and $2,000,000 more than the fiscal year 2020 enacted level. The Committee recommendation includes $1,000,000 for the Community Safety Grant Program and $1,000,000 for the Assistance for Local Emergency Response Training [ALERT] grant. The Committee directs PHMSA to prioritize ALERT grants for training in rural areas. The Committee recommendation also includes $2,500,000 for a State program for Hazardous Materials Safety Inspection and Enforcement Training and Inspection. This funding will support training of State inspectors, reimbursements for shipper inspection costs, and the development of a certification for a State hazardous materials packaging and shipping inspection program. Given the rapid growth in hazmat transport, this funding will improve the number and quality of safety inspections.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

Appropriations, 2020	$168,000,000
Budget estimate, 2021	163,000,000
Committee recommendation	168,000,000

PROGRAM DESCRIPTION

The Office of Pipeline Safety [OPS] promotes the safe, reliable, and sound transportation of natural gas and hazardous liquids through the Nation's more than 2.6 million miles of privately-owned and operated pipeline.

COMMITTEE RECOMMENDATION

The OPS has the important responsibility of ensuring the safety and integrity of pipelines, which run through every community in our Nation. Efforts by Congress and the OPS to invest in promising safety technologies, increase civil penalties, and educate communities about the potential risks of pipelines have resulted in a reduction in serious pipeline incidents. It is essential that PHMSA continue to make strides in protecting communities from pipeline failures and incidents. To that end, the Committee recommends an appropriation of $168,000,000 for the OPS. The amount is equal to the fiscal year 2020 enacted level and $5,000,000 more than the budget request. Of the funding provided, $23,000,000 shall be derived from the Oil Spill Liability Trust Fund, $137,000,000 shall be derived from the Pipeline Safety Fund, and $8,000,000 shall be derived from the Underground Natural Gas Storage Facility Safety Account. Some of the funds recommended for research and development shall be used for the Pipeline Safety Research Competitive Academic Agreement Program to focus on near-term solutions in order to improve the safety and reliability of the Nation's pipeline transportation system. The Committee recommendation assumes an extension of fiscal year 2020 funding levels for fiscal year 2021 for all programs authorized by the PIPES Act of 2016 (Public Law 114–83).

Interstate Pipeline Safety.—The Committee remains concerned about national reports of emergencies and incidences along interstate pipelines that have resulted in prolonged natural gas outages that have impacted businesses and created unanticipated cost-burdens on States. As the Federal regulator for the safety and integrity of interstate pipelines, PHMSA is responsible for working with natural gas transmission and distribution companies, and State regulators across State boundaries to investigate the source of outages and to identify compliance issues related to the Federal pipeline safety regulations after an emergency or incident. PHMSA may also authorize a State entity to regulate and conduct investigations into pipeline emergencies or incidences within its jurisdiction. However, State regulators operating under such delegated authority are not entitled to pertinent information from another regulator or company outside its boundaries, including information related to supply and demand risks, which are identified, assessed, and regulated by the Department of Energy's Federal Energy Regulatory Commission [FERC]. This is particularly complex for interstate pipeline outages or emergencies that require separate investigations, by State regulators, FERC or PHMSA, and where transmission and distribution companies cross State boundaries. The Committee is concerned that without adequate and timely information sharing between regulators, key findings, including precipitating events, contributing factors, underlying conditions, and an analysis of the pipeline system's overall response to an emergency or incident cannot be validated by an independent entity before the respective investigations are complete and made public. In order to improve the safety and reliability of interstate pipelines and coordination between State regulators, regulated companies, FERC and PHMSA, the Committee continues to encourage PHMSA to work with State regulators, other Federal agencies, and industry stakeholders to identify administrative and statutory barriers that can impede investigations into emergency incidents and supply disruptions and reduce the reliability of the interstate pipeline system, and to develop a solution that improves information sharing between regulators and regulated companies during interstate pipeline investigations and increases system-wide risk analyses in order to enhance emergency responses and the reliability of interstate pipeline systems.

Research, Development and Testing Facilities.—In order to establish transparency for research and development activities and coordinate research priorities across DOT, the FAST Act requires PHMSA to submit an Annual Modal Research Plan [AMRP] for the upcoming fiscal year and the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016 requires the agency to submit a biennial research report to Congress with a summary of each research and development project carried out and how each project affects safety. These reports are intended to serve as a strategic plan for how funding will be aligned with research priorities identified by PHMSA, academia, departmental, and other Federal partners based on emerging pipeline safety needs and identified gaps in research, but also as a roadmap for how the agency plans to meet the research and development goals set forth by Congress, the Inspector General, and the National Transportation Safety Board [NTSB] among others.

However, the Committee is concerned that PHMSA recently moved forward with the planning and development of a research and development facility at the Transportation Technology Center [TTC], which was not included in the most recent AMRP or biennial plan, nor is there any mention of changing the determination of research projects or the selection process therein. PHMSA made this decision to significantly change the selection and design of its pipeline safety R&D program without the appropriate level of detail and notification.

Consistent with the Senate passed PIPES Act of 2020, the Administrator may not obligate any additional funds to engineer, erect, alter, and repair buildings or make any other public improvements for research facilities at the TTC until PHMSA submits an updated research plan to the House and Senate Committees on Appropriations. This plan is meant to add additional context and depth to the existing annual modal research plan, annual budget request, and biennial research plan and is not intended to duplicate existing research planning and reporting requirements. Overall, PHMSA shall: conduct an assessment of the causes of pipeline failure and pipeline safety risks; identify specific short-term and long-term research and development objectives that address pipeline safety risks and vulnerabilities; identify specific research activities and how they relate to DOT research goals, agency objectives, and research programs; define the roles and responsibilities of PHMSA, industry, academia and other Federal partners in advancing technological solutions that improve the overall safety and integrity of the nation's pipeline system through the execution of the proposed research and development activities; report on the implementation and execution of the prior year proposed annual research activities compared to the annual research plan and how such activities were co-funded with industry and/or academia consistent with subparagraph (b) of Section 22 of Public Law 114–183.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

Appropriations, 2020	$28,318,000
Budget estimate, 2021	28,318,000
Committee recommendation	28,318,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $28,318,000 for emergency preparedness grants. The recommendation continues to provide PHMSA the authority to use prior year carryover and recaptures for the development of Web-based, off-the-shelf training materials that can be used by emergency responders across the country. The Committee encourages PHMSA to continue to enhance its training curriculum for local emergency responders, including response activities for crude oil, ethanol, and other flammable liquids transported by rail. The Committee also encourages PHMSA to train public sector emergency response personnel in communities on or near rail lines, which transport a significant volume of high-risk energy commodities or toxic inhalation hazards. The Committee continues a provision increasing the funding available for administrative costs from 2 percent to 4 percent in order to address the OIG's recommendations.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriations, 2020	$94,600,000
Budget estimate, 2021	98,150,000
Committee recommendation	98,150,000

PROGRAM DESCRIPTION

The Inspector General Act of 1978 (Public Law 95–452) established the Office of Inspector General [OIG] as an independent, objective organization with a mission to: conduct and supervise audits and investigations relating to the programs and operations of the Department; provide leadership and recommend policies designed to promote economy, efficiency, and effectiveness in the administration of programs and operations; prevent and detect fraud, waste, and abuse; and keep the Secretary and the Congress informed regarding problems and deficiencies.

COMMITTEE RECOMMENDATION

The Committee recommendation provides $98,150,000 for the activities of the OIG, which is equal to the President's budget request and $3,550,000 more than the fiscal year 2020 enacted level.

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

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

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

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

Section 182 prohibits recipients of funds from disseminating personal information obtained by State Departments of Motor Vehicles in connection to motor vehicle records, with an exception.

Section 183 prohibits funds in this act for salaries and expenses of more than 125 political and Presidential appointees in the Department of Transportation.

Section 184 allows funds received by the Federal Highway Administration, Federal Transit Administration, and the Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited to each agency's respective accounts.

Section 185 prohibits the use of funds in this act to make a grant or announce the intention to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations at least 3 full business days before making the grant or the announcement.

Section 186 allows rebates, refunds, incentive payments, minor fees, and other funds received by the Department of Transportation from travel management center, charge card programs, subleasing of building space, and miscellaneous sources, to be credited to appropriations of the Department of Transportation.

Section 187 establishes requirements for reprogramming actions by the House and Senate Committees on Appropriations.

Section 188 prohibits funds appropriated in this act to the modal administrations from being obligated for the Office of the Secretary for costs related to assessments or reimbursable agreements unless the obligations are for services that provide a direct benefit to the applicable modal administration.

Section 189 authorizes the Secretary to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code.

Section 190 prohibits the use of funds for any geographic, economic, or other hiring preference pilot program, regulation, or policy unless certain requirements are met related to availability of local labor, displacement of existing employees, and delays in transportation plans.

Section 191 directs the Secretary of Transportation to work with the Secretary of Homeland Security to ensure that best practices for Industrial Control Systems procurement are up to date and that systems procured with funds provided under this title were procured using such practices.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Management and Administration

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

Rural Areas.—The Committee urges the Secretary to enhance its efforts to provide decent, affordable housing and to promote economic development for rural Americans. When designing programs and making funding decisions, the Secretary shall take into consideration the unique conditions, challenges, and scale of rural areas.

Appropriations Attorneys.—During consideration of the fiscal year 2003 appropriations legislation, it became apparent to the Committee that both the Committee and the Department would be best served if the attorneys responsible for appropriations matters were housed in the Office of the Chief Financial Officer [OCFO]. Since that time, the Committee has routinely received prompt, accurate, and reliable information from the OCFO on various appropriations law matters. For fiscal year 2021, the Committee continues to fund appropriations attorneys in the OCFO and directs HUD to refer all appropriations law issues to such attorneys within the OCFO.

Organizational Charts and Staffing Realignments.—The Department is directed to submit, in consultation with the House and Senate Committees on Appropriations, current and accurate organizational charts for each office within the Department as part of the fiscal year 2022 congressional justifications. The Committee further directs the Department to submit any staff realignments or restructuring to the House and Senate Committees on Appropriations consistent with section 237 of the bill accompanying this explanatory statement.

Government Accountability Office [GAO] Priority Recommendations.—The Committee notes that GAO serves an important function in helping improve the efficiency and effectiveness of HUD's programs and operations. As of March 2020, HUD had 130 open GAO recommendations. Of these, 17 are considered priority recommendations in areas including, but not limited to, information technology, lead paint hazards, and Government National Mortgage Association [GNMA] risk-management. Although the Committee recognizes that fully implementing recommended changes can take time, it is concerned that HUD's implementation rate averages only 65 percent and lags behind the government-wide average of 77 percent. The Committee directs HUD to report to the House and Senate Committees on Appropriations within 30 days after enactment of this act, on the steps taken in fiscal year 2020 to implement the 17 priority recommendations and on what additional actions will be undertaken in fiscal year 2021 to implement these outstanding recommendations. The Committee further directs HUD to report to the House and Senate Committees on Appropriations within 180 days after enactment of this act on the progress in fiscal year 2021 of the actions identified in the earlier report.

EXECUTIVE OFFICES

Appropriations, 2020	$14,217,000
Budget estimate, 2021	17,659,000
Committee recommendation	17,292,000

PROGRAM DESCRIPTION

The Executive Offices account provides the salaries and expenses funding to support the Department's senior leadership and other key functions, including the immediate offices of the Secretary, Deputy Secretary, Congressional and Intergovernmental Relations, Public Affairs, Adjudicatory Services, the Center for Faith-Based and Community Initiatives, and the Office of Small and Disadvantaged Business Utilization.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $17,292,000 for this account, which is $3,075,000 more than the fiscal year 2020 enacted level and $367,000 less than the budget request. This funding level includes the transfer of the Executive Secretariat Division from the Office of Administration to the Office of the Secretary, as proposed in the budget request. The Secretary is directed to outline how budgetary resources will be distributed among the seven offices funded under this heading as part of the Department's operating plan for fiscal year 2021.

ADMINISTRATIVE SUPPORT OFFICES

Appropriations, 2020	$563,378,000
Budget estimate, 2021	578,913,000
Committee recommendation	576,689,000

PROGRAM DESCRIPTION

The Administrative Support Offices account is the backbone of HUD's operations, and consists of several offices that aim to work seamlessly to provide the leadership and support services to ensure the Department performs its core mission and is compliant with all legal, operational, and financial guidelines. This account funds the salaries and expenses of the Office of the General Counsel, the Office of the Chief Financial Officer, the Office of the Chief Procurement Officer, the Office of Departmental Equal Employment Opportunity, the Office of Field Policy and Management, the Office of the Chief Human Capital Officer, the Office of Administration, and the Office of the Chief Information Officer.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $576,689,000 for this account, which is $13,311,000 more than the fiscal year 2020 enacted level and $2,224,000 less than the budget request.

Funds are made available as follows:

	Amount
Office of the Chief Financial Officer	$74,462,000
Office of the General Counsel	107,254,000
Office of Administration	207,693,000
Office of the Chief Human Capital Officer	38,933,000
Office of Field Policy and Management	59,652,000
Office of the Chief Procurement Officer	21,013,000
Office of Departmental Equal Employment Opportunity	4,239,000
Office of the Chief Information Officer	63,443,000

Hiring and Separation Report.—The Committee directs the OCFO 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, and full time equivalent [FTE] positions, including the Office of the Inspector General and the GNMA.

Expired Balances Report.—The Committee directs HUD's OCFO to submit a report to the House and Senate Committees on Appropriations within 30 days of enactment of this act on expired balances. The report shall cover fiscal years 2015–2020, and for each fiscal year, identify by account and line item the amount of funding that expired in that fiscal year. Amounts shall include carryover and recaptures in addition to any expiring amounts appropriated for each fiscal year.

Office of the Chief Financial Officer.—The Committee recommendation includes $74,462,000 for the OCFO. Of the amount provided, $15,000,000 in total is provided for a center of excellence for customer experience and the financial transformation initiative in order to strengthen HUD's fiscal capabilities and controls. The Committee continues language directing HUD to submit an expenditure plan for approval prior to obligating more than 10 percent of the funds provided for the financial transformation initiative and expects that HUD will engage in frequent and transparent communication with the House and Senate Committees on Appropriations regarding this initiative. The Committee notes that although HUD has referenced the General Services Administration's center of excellence in both the Office of Field Policy and Management, as well the OCFO budget requests, it is only providing funding for this work within OCFO.

Appropriations Liaison Division [ALD].—The ALD is intended to coordinate and streamline communications between HUD and the Committees on Appropriations. While the Committee is not approving this reorganization, it recognizes that effective communication within the Department is required to meet this goal. The Committee is concerned that ineffective communication within the Department has resulted in significant delays in information sharing between the House and Senate Committees on Appropriations and HUD. Therefore, HUD is directed to develop an internal communication plan to address these challenges to ensure the House and Senate Committees on Appropriations receive, in a timely and expeditious manner, the information and technical drafting necessary to carry out oversight and appropriations responsibilities. The Committee further directs ALD to inform the House and Senate Committees on Appropriations upon HUD's issuance of Notices of Funding Availability [NOFAs] and program and administrative support office notices. The Department is reminded that it does not have congressional approval to restructure or alter ALD or any division within OCFO without prior approval from the House and Senate Committees on Appropriations.

Office of Administration.—The Committee recommendation does not include the proposed consolidation of the Office of Administration, the Office of the Chief Human Capital Officer, and the Office of Procurement into a single funding line. The Committee notes that prior to fiscal year 2014, the funding for the Office of Administration and the Office of the Chief Human Capital Officer was provided through a single appropriation and was separated into two separate accounts at the request of the Department. While the Committee has not included the request to consolidate the funding for these offices into a single appropriation, the Committee is supportive of the broader work the Office of Administration is undertaking to streamline operations across these offices and believes these efforts will improve the efficiency and effectiveness of these offices and the Department overall. The Committee encourages the Office of Administration to continue these efforts.

Office of Disaster and Emergency Management.—The Office of Disaster and Emergency Management [ODEM] is designed to comprehensively address disaster preparedness, response, and recovery management, including issues related to housing, economic development, infrastructure, community planning, and capacity building across HUD programs. In 2019, HUD reported on its efforts to operationalize this office in order to improve the overall Departmental response to emergencies and disasters, including preparedness and mitigation from future disasters. However, a number of staffing and capacity issues needed to be addressed before the Office could be fully operationalized. As a result, the Committee directed the Department to resolve these outstanding issues and to submit for approval a resource allocation plan to the House and Senate Committees on Appropriations within 30 days from the enactment of the act before fully operationalizing this office. In fiscal year 2020, the Committee also included five additional FTE for the ODEM. While the Committee is pleased with the Department's progress to move forward with filling these positions, it is concerned that without a resource allocation plan, the overall staffing and capacity needs as well as long-term operational demands remain unidentified. To ensure sufficient staffing for this office, the Committee recommendation once again includes five additional FTE for this office. The Committee directs HUD to submit the resource allocation plan prior to executing hires for the additional FTEs provided for fiscal year 2021 in order to ensure effective use and oversight of the personnel funding.

Office of Field Policy and Management [OFPM].—The Committee maintains language directing HUD to continue supporting the existing Promise Zone designations for the length of their agreements. To realize the full potential of these designations, the Committee directs the OFPM to work with designees to ensure the provision of any OMB-requested data for an effective evaluation of the initiative.

PROGRAM OFFICES

Appropriations, 2020	$847,000,000
Budget estimate, 2021	900,149,000
Committee recommendation	904,173,000

PROGRAM DESCRIPTION

The Program Offices account funds the salaries and expenses of six program offices, including the Offices of: Public and Indian Housing, Community Planning and Development, Housing, Policy Development and Research, Fair Housing and Equal Opportunity, and Lead Hazard Control and Healthy Homes.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $904,173,000 for this account, which is $57,173,000 more than the fiscal year 2020 enacted level for these offices and $4,024,000 more than the budget request.

Funds are made available as follows:

	Amount
Office of Public and Indian Housing	$243,056,000
Office of Community Planning and Development	131,107,000
Office of Housing	404,194,000
Office of Policy Development and Research	36,250,000
Office of Fair Housing and Equal Opportunity	79,763,000
Office of Lead Hazard Control and Healthy Homes	9,803,000

Office of Public and Indian Housing [PIH].—The Committee recommendation includes $243,056,000 for the salaries and expenses of this office. Within this amount, the Committee has included funding for 40 additional FTE, of which no less than 20 FTE are for the Office of Public Housing and Voucher Programs. The Department is directed to inform the House and Senate Committees on Appropriations within 15 days of enactment of this act regarding how it is implementing the Committee's hiring direction. Of the amounts provided for PIH, no less than $200,000 is for travel related to the provision of training, technical assistance, oversight, and management of Indian housing.

Office of Community Planning and Development [CPD].—The Committee recommendation includes $131,107,000 for the salaries and expenses of this office. Within this amount, the Committee has included funding for 20 additional FTE, of which no less than 12 FTEs are for the Office of Grant Programs. The Department is directed to inform the House and Senate Committees on Appropriations within 15 days of enactment of this act regarding how it is implementing the Committee's hiring direction.

Office of Housing.—The Committee supports the Department in ensuring that the Mortgagee Review Board takes action against lenders that violate Federal statute, regulations or handbook requirements across multifamily and single family housing, as well as Federal Housing Administration's [FHA's] healthcare programs. The Committee recommendation includes the authority for the Office of Housing to move the Mortgagee Review Board within the Office of the Assistant Secretary for Housing-FHA Commissioner. The Committee does not include the authority for the Department to undertake any other proposed restructuring of the Office of Housing without prior review and approval of the House and Senate Committees on Appropriations.

Office of Policy Development and Research [PD&R].—The Committee recommendation includes $36,250,000 for the salaries and expenses of this office. Consistent with the budget request, the recommendation includes funding for the Office of the Chief Data Officer within PD&R. The Committee encourages HUD to enable the Chief Data Officer to leverage commercial technologies and carry out pilot projects related to implementation of the requirements under Title II of the Foundations for Evidence-Based Policymaking Act (Public Law 115–435).

Office of Lead Hazard Control and Healthy Homes.—The Committee recommendation includes $9,803,000 for the salaries and expenses of this office. Within this amount, the Committee has included funding for one additional FTE to improve the oversight of environmental hazard reduction, such as lead-based paint, radon or other hazards, in HUD-assisted housing.

New Housing in High Cost Metropolitan Areas.—The Committee is concerned that a combination of income concentration and housing supply constraints in high-productivity metropolitan areas has created entry limits harmful to geographic and economic mobility. Upward price pressure on rents resulting from such conditions imposes a greater financial burden on Federal taxpayers through rental assistance programs that respond to private market rents. The Committee directs the Department to report to the House and Senate Committees on Appropriations no later than 90 days after the date of enactment of this act, identifying metropolitan areas where such conditions are most prevalent and recommending best practices for localities and States to help encourage the production of new housing in high-cost metropolitan areas.

Homelessness Prevention.—The Committee recognizes that the most cost-effective and efficient way to end homelessness is to prevent it from occurring in the first place. Prevention initiatives established by Public Housing Agencies [PHAs] and local governments around the country have demonstrated that significant reductions in homelessness can be achieved by providing short-term rental assistance, utility deposits and payments, housing stability case management, mediation, legal services, credit repair, and employment assistance. However, without Federal guidance, many of these programs are implemented in silos and their benefits are limited to the jurisdictions that have implemented them. To encourage wider adoption of effective prevention programs, the Committee directs HUD, to evaluate homelessness prevention initiatives around the country and issue policy guidance for the adoption and implementation of best practices. Not later than 180 days after enactment of this act, HUD shall brief the House and Senate Committees on Appropriations on ways the Federal Government can increase flexibility in policies and funding to allow for the creation or expansion of homelessness prevention programs.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

PROGRAM DESCRIPTION

The Working Capital Fund [WCF] promotes economy, efficiency, and accountability. Amounts transferred to the Fund are for Federal shared services used by offices and agencies of the Department, and are derived from centralized Salaries and Expenses accounts.

COMMITTEE RECOMMENDATION

The Committee recommendation provides the Secretary with the authority to transfer amounts provided in this title for salaries and expenses, except those for the Office of Inspector General, to this account for the purpose of funding centralized activities. The Department is required to centralize and fund from this account any shared service agreements executed between HUD and another Federal agency. 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.

Additionally, prior to exercising its authority to transfer funds for activities beyond what is required for shared service agreements, the Committee expects HUD to establish a clear execution plan for centralizing the additional activities, and to properly vet that plan with the House and Senate Committees on Appropriations prior to transferring such funds into the WCF. Financial management, procurement, travel, and relocation costs for services provided to the Office of the Inspector General are covered by the OCFO.

HUD shall include in its annual operating plan a detailed outline of its plans for transferring budgetary resources to the WCF in fiscal year 2021.

Approved Activities.—For fiscal year 2021, the Department is permitted to only centralize and fund from this account financial management, procurement, travel, relocation, human resources, printing, space renovation, furniture, and supply services. The Committee does not expand the authority, as proposed in the budget request, to include either records management or information technology [IT] customer devices, or any other activity not expressly permitted in this paragraph.

GAO Review of HUD's Working Capital Fund.—The GAO recently completed a review of HUD's WCF. While the review resulted in the correction of several deficiencies, the review noted that HUD has not defined who is responsible for identifying and implementing opportunities for achieving efficiencies with service usage, including roles for the business process analyses it periodically conducts; and that HUD has not assessed the results of the business process analyses, or how those results could contribute to supporting efficient service delivery. The report included recommendations to HUD to address these issues, including undertaking periodic reviews of WCF business lines to ensure effective management, strong performance, and customer satisfaction. The Committee encourages the Department to focus its efforts on improving its management of the WCF to improve both efficiency and customer satisfaction of the services provided, rather than on developing new business line proposals.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

Appropriations, 2020	$23,874,050,000
Budget estimate, 2021	18,833,000,000
Committee recommendation	25,516,000,000

PROGRAM DESCRIPTION

This account provides funding for the Section 8 tenant-based [voucher] program. Section 8 tenant-based housing assistance is one of the principle appropriations for Federal housing assistance, serving approximately 2.3 million families. The program also funds incremental vouchers for tenants who live in properties where the owner has decided to leave the Section 8 program. The program provides for the replacement of units lost from the assisted housing inventory through its tenant protection vouchers. Under these programs, eligible low-income individuals and families pay 30 percent of their adjusted income for rent, and the Federal Government is responsible for the remainder of the rent, up to the fair market rent or some other payment standard. Finally, this account provides funding for administrative fees for PHAs, mainstream vouchers, Housing and Urban Development Veterans Supportive Housing [HUD–VASH] programs, and other incremental vouchers for vulnerable populations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $25,516,000,000 for fiscal year 2021, including $4,000,000,000 as an advance appropriation to be made available on October 1, 2021. This amount is $6,683,000,000 more than the budget request and $1,641,950,000 more than the fiscal year 2020 enacted level.

Contract Renewals.—The Committee recommends $22,891,000,000 for the renewal costs of Section 8 vouchers. The Committee recommendation and existing reserves will provide sufficient resources to ensure that no current voucher holders are put at risk of losing their housing assistance. The Committee will continue to monitor leasing data to make sure housing assistance is preserved.

Tenant Protection Vouchers.—The Committee recommendation includes $100,000,000 for tenant protection vouchers.

Administrative Fees.—The Committee recommends $2,160,000,000 for administrative fees. The Committee notes that these funds are critical to the execution and success of the voucher program. These funds are used for a diverse range of activities and critical functions such as: property inspections; case management, including tenant screening, income recertification, and emergency transfers; landlord outreach; the issuance of new vouchers upon program turnover; and assistance for tenants seeking housing.

Section 811 Mainstream Vouchers.—The Committee recommendation includes $300,000,000 to continue the rental assistance and administrative costs of this program.

Tribal HUD–VASH.—The Committee recommendation includes up to $5,000,000 for the renewal of rental assistance and associated administrative costs for the Tribal HUD–VASH demonstration. The Committee continues to encourage HUD to use its existing reallocation authority where necessary to ensure this program is utilized to the greatest extent possible.

HUD–VASH.—The Committee again rejects the budget proposal to prematurely end funding for new HUD–VASH vouchers and includes $40,000,000 for this purpose. These vouchers have been critical to reducing veterans' homelessness by 50 percent since 2010. Even with this level of progress, more than 37,000 individuals experiencing homelessness on any given night are veterans. Despite the scale of veterans' homelessness and the Committee's strong support for this program, as of August 2020, over 19,000 HUD–VASH vouchers were unleased. The Committee recognizes that a portion of these unleased vouchers are reserved for project-based voucher developments or have been issued to veterans who are in the midst of their housing search. Regardless, the remaining number of unused vouchers is far too many.

The Committee believes the program faces multiple challenges connecting eligible veterans to the HUD–VASH program through the current referral process, unnecessarily limiting voucher utilization. In order for a veteran to receive a HUD–VASH voucher, they must be screened and eligible for Department of Veterans Affairs [VA] services and referred to a PHA by a VA Medical Center. The VA Medical Center provides medical treatment and supportive services to an eligible veteran, while the local PHA helps the veteran search for and secure housing. However, the Committee is aware that in many communities, there are more HUD–VASH vouchers available than referrals from the local VA Medical Center. The Committee is also aware that some VA Medical Centers face staffing and case-management challenges. In order to avoid disruptions to the program, the VA has the authority to define additional "designated" entities to screen for eligibility and make referrals through existing guidance. However, this authority has not been exercised. The Committee believes that PHAs and other social service organizations can serve in this capacity in order to increase the number of veterans assisted by the HUD–VASH program and provide more timely housing assistance.

Since 2008, HUD has had the authority to waive or specify alternative requirements related to the HUD–VASH program in order to meet the unique needs of homeless veterans across the country, but has exercised very little authority to improve the overall utilization rate of HUD–VASH vouchers. To improve the effectiveness of the HUD–VASH program and increase the number of eligible homeless veterans that receive assistance, the Committee directs

HUD to consult with the VA to determine how PHAs can be designated entities to screen for eligibility and make referrals. The Committee further directs HUD to use its existing authority to specify alternative requirements to permit PHAs to use unleased HUD–VASH vouchers to house VA eligible homeless veterans, even if they have not received a referral from the VA. PHAs seeking to take advantage of these alternative requirements must meet the following conditions and requirements: the PHA must determine that a veteran it seeks to house is eligible for VA services under the HUD–VASH program; the PHA must refer the veteran to the VA for case management and services; the PHA must provide, on a temporary basis until the VA Medical Center has completed intake of the veteran, appropriate case management and supportive services; and the PHA must ensure that while using unleased HUD–VASH vouchers, it has sufficient HUD–VASH vouchers available to immediately issue a HUD–VASH voucher to veterans referred by the VA. The Department is directed to report to the House and Senate Committees on Appropriations within 180 days of enactment of the act on its progress in implementing these alternative requirements and its effect on voucher utilization.

It is vital that all funds directed to this program are accounted for and used efficiently. As such, the Committee directs HUD to make public the need for additional HUD–VASH funding and reasons for unused funds, which should also include an evaluation of the effectiveness of the program and distribution of resources.

The Committee continues to encourage the Department to use existing authority to recapture HUD–VASH voucher assistance from PHAs that voluntarily declare they no longer have a need for that assistance, and to reallocate it to PHAs with an identified need. The Committee directs HUD to submit a report to the House and Senate Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies within 120 days of enactment of this act on methods to reallocate unused HUD–VASH vouchers to ensure that communities that have successfully ended veterans' homelessness enable other communities to assist this population. The report shall include a determination of the feasibility of issuing a new solicitation of participation for unallocated HUD–VASH vouchers. The Committee encourages the Department to prioritize, as part of this reallocation, PHAs that project-base a portion of their HUD–VASH vouchers.

Family Unification Program [FUP].—The Committee includes $25,000,000 for new FUP vouchers. To ensure that vouchers are available where youth need assistance, the Committee allows HUD to provide a portion of the vouchers outside of a competitive NOFA process to PHAs that have partnered with public child welfare agencies [PWCAs] and have identified eligible youth. The housing assistance, as authorized under Section 8(x) of the 1937 Housing Act (Public Law 75-412 as amended), combined with access to supportive services through partnerships with the local PCWA, will enable youth to remain stably housed and achieve self-sufficiency. The Committee also continues language permitting the Secretary to recapture voucher assistance from PHAs that no longer have a need for that assistance and reallocate to it to PHAs with an identified need.

Tenant Protections for Victims of Domestic Violence.—Section 41411 of the Violence Against Women Act of 2013 (Public Law 113–4) directed the Secretary to establish policies and procedures for which a VAWA victim seeking an emergency transfer may receive a tenant protection voucher [TPV]. To ensure implementation of this requirement, last year the Committee directed HUD to consult with PHAs, other covered housing providers, and advocates on how TPVs can be administered to HUD-assisted tenants seeking emergency transfers under VAWA, including how the Department can operationalize the use of TPVs for this purpose. The Committee further directed HUD to report to the House and Senate Committees on Appropriations on the results of that consultation. The Committee reminds the Department of the importance of these directives, and looks forward to the outcome of this work.

Offset of Reserves.—The Committee is aware of existing policies that allow Moving-to-Work [MTW] agencies to be exempt from the Department offsetting their reserves while offsets are fully applied to non-MTW agencies. The Committee recognizes that in executing offsets of reserves for non-MTW agencies, all PHAs, including MTWs, benefit from an adjusted increase in proration. The Committee is concerned that this creates inequities in how PHAs' net restricted reserves are treated and may result in MTWs being treated more favorably. The Committee directs HUD to provide a report to the House and Senate Committees within 60 days of enactment of this act on the amount of reserves that has been subject to offset by non-MTW and MTW agencies and the amount of non-MTW reserves that was applied to increase MTW's proration since 2015. The Department is also directed to provide recommendations on how offsets of reserves for MTWs with single fund budget authority can be applied in future reserve offsets.

Landlord Participation.—The Committee directs HUD, as part of its landlord task force, to provide guidance and best practices to PHAs on how to use their authority under the Section 8 Housing Choice Voucher Administrative Fees program to work with landlords, who may be otherwise hesitant to participate in the voucher program, to incentivize them to accept more housing voucher recipients.

Regional Approaches to Administering Vouchers.—The Committee is concerned about the utilization rate of housing choice vouchers that are made available upon turnover in some regions, despite the ongoing need for rental assistance for millions of low-income households. To ensure the efficient use of this critical housing affordability resource, the Committee encourages HUD to provide PHAs with technical assistance on how the industry can leverage regional approaches to administering vouchers across multiple PHAs and improve coordination of voucher portability within regions.

Local Coordination.—The Committee is concerned about reports of Section 8 voucher residents living in conditions that risk their health and safety, despite having Federal standards and local codes in place to prevent such conditions. While physical deficiencies of Section 8 voucher units should be identified and addressed through routine inspections, there may also be local code violations that are not captured by Federal inspection standards. As a result, although local code issues are the responsibility of the local code enforcement agency, tenants sometimes contact the PHA to make them aware of conditions that fall outside of the responsibility of the housing authority. These conditions can go unaddressed if there is a lack of coordination across agencies at the local level. In order to quickly resolve physical deficiencies in Section 8 voucher units, the Committee believes there is a need for improved coordination between PHAs and units of local government in order to identify and address code violations that result in improved living conditions for residents. As such, the Committee directs the Department to evaluate how PHAs can work with local code enforcement agencies to improve collaboration with units of local government to monitor and address health and safety conditions in Section 8 voucher units. The Committee encourages PHAs to share best practices with landlords on maintaining decent, safe, and sanitary housing in order to avoid exposing Section 8 residents to exigent health and safety conditions.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

PROGRAM DESCRIPTION

Until fiscal year 2005, the Housing Certificate Fund 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

The Committee has included language that will allow unobligated balances from specific accounts to be used to renew or amend project-based rental assistance contracts.

PUBLIC HOUSING FUND

Appropriations, 2020 [1]	$7,418,894,000
Budget estimate, 2021	3,572,000,000
Committee recommendation	7,440,000,000

[1] The fiscal year 2020 Appropriations represents funding for the combined activities of the Public Housing Operating Fund and the Public Housing Capital Fund accounts.

PROGRAM DESCRIPTION

This account provides funding for the payment of operating subsidies, as well as modernization and capital expenses for approximately 3,100 PHAs (except tribally designated housing entities) that manage approximately 900,000 public housing units.

COMMITTEE RECOMMENDATION

The Committee recommendation consolidates the Public Housing Operating Fund and Public Housing Capital Fund accounts into a single Public Housing Fund. This account consolidation brings the funding of the public housing program in line with the other rental assistance programs of HUD, which are all funded through a single account. Although the Committee consolidates the two accounts, the recommendation does not permit additional flexibility between operating and capital activities beyond those flexibilities that are already statutorily permitted. The Committee recommends an appropriation of $7,440,000,000 for the Public Housing Fund, which is $3,868,000,000 more than the budget request and $21,106,000 more than the fiscal year 2020 enacted level.

Operating Expenses.—The Committee recommendation includes $4,492,000,000 for allocations to PHAs through the operating fund formula.

Capital Expenses.—The Committee recommendation includes $2,765,000,000 for allocations to PHAs through the capital fund formula.

Shortfall Funding.—The Committee recommendation includes $25,000,000 to mitigate the risk of financial shortfalls among PHAs. The Committee directs that the allocation of these funds shall first be prioritized to PHAs with 249 or fewer public housing units that are determined to be experiencing shortfalls and have less than one-month of reserves before allocating funds to larger PHAs. The Committee prioritizes very small and small PHAs for these funds because these PHAs comprise over 75 percent of all PHAs and are unlikely to be able to avail themselves of other mitigation strategies relative to larger PHAs. The Committee recognizes that financial reporting is not static and that PHAs in special circumstances, such as those undergoing Rental Assistance Demonstration [RAD] conversions or utilizing flexibilities, are subject to temporary fluctuations in operating expenses and may not be experiencing true shortfall situations. Therefore, the Committee directs HUD to take these special circumstances into account in their assessment of PHAs and the allocation of funding.

Administrative and Judicial Receiverships.—The Committee recommendation includes $15,000,000 for the cost of administrative and judicial receiverships and competitive grants for PHAs in receivership, designated troubled or substandard, or otherwise at risk to address capital needs.

The Committee directs the Department to report quarterly during fiscal year 2021 to the House and Senate Committees on Appropriations on the status of PHAs under receivership, including factors that informed the receivership such as physical and financial scores, deficiencies with internal controls, and other information demonstrating why HUD believes PHAs are unable to effectively oversee their business operations. This report shall also include an identification of funding resources and technical assistance provided to each PHA for the purpose of transitioning out of receivership, and future steps HUD will take to address deficiencies in an effort to return the respective PHAs to local control.

Physical and Financial Assessments.—The Committee recommendation includes $23,000,000 to support ongoing physical and financial assessment activities performed by the Real Estate Assessment Center [REAC], including implementation of the National Standards for the Physical Inspection of Real Estate [NSPIRE] model and standardizing the inspection protocol for public housing and Section 8 voucher units. The Committee expects the Department to build on the Uniform Physical Condition Standards for Vouchers [UPCS–V] inspection design for the Housing Choice Voucher program to inform how NSPIRE will be applied more broadly to all PHAs in order to reduce the costs associated with using multiple systems or technologies and administrative burdens on PHAs.

The Committee directs the Department to submit to the House and Senate Committees on Appropriations 30 days after enactment of this act, a report identifying how funds provided for REAC, including any carryover balances, will be utilized during fiscal year 2021. The Committee also directs the Department to submit to the House and Senate Committees on Appropriations within 90 days of enactment of this act a report on REAC inspections of all HUD assisted and/or insured properties. This report shall include: the percentage of all inspected properties that received a REAC-inspected score of less than 65 since calendar year 2013; the number of properties in which the most recent REAC-inspected score represented a decline relative to the previous REAC score; a list of the ten metropolitan statistical areas with the lowest average REAC-inspected scores for all inspected properties; and a list of the ten States with the lowest average REAC-inspected scores for all inspected properties. The Committee encourages the Department to work with the House and Senate authorizing committees on enforcement actions, including civil monetary penalties, that HUD can take to ensure PHAs and landlords maintain the physical quality of HUD-assisted units.

Emergency and Safety and Security Grants.—The Committee recommendation includes $75,000,000 for emergency capital needs, of which at least $10,000,000 is to be used for safety and security measures in public housing in order to protect tenants. The Committee believes that the level of funding recommended will support both repairs from disasters and safety and security improvements. Therefore, the Committee directs the Department to fund eligible safety and security projects with a portion of these funds as quickly as possible. Of the $65,000,000 for emergency capital needs, the Committee recommendation includes $45,000,000 for PHAs under receivership or under the control of a Federal monitor, and directs HUD to award these funds based on need and not be subject to a cap on individual grant award amounts.

Quality Assurance of Physical Inspections.—The Committee remains concerned about the physical quality of some HUD-subsidized properties across the country, including incidences of unaddressed or untimely responses to health-related hazards in HUD-assisted housing. The Consolidated Appropriations Act, 2017 (Public Law 115–31), directed GAO to undertake a review of REAC's policies and processes. GAO completed their work and published a report in March 2020. In the report, GAO makes 14 recommendations to HUD to improve REAC's physical inspection process as well as its selection, training, and monitoring of contract and quality assurance inspectors. GAO's report also notes that in January of 2017, an internal HUD taskforce made eight recommendations to enhance and improve the inspection process, but that as of December 2018, HUD had not implemented any of the eight recommendations. The Committee directs HUD to update the House and Senate Committees on Appropriations quarterly during fiscal year 2021 on its progress to implement these 22 recommendations.

Environmental Hazards.—The agreement includes $45,000,000 to help PHAs address lead-based paint and other environmental hazards, including mold, carbon monoxide, and radon, in public housing units. The Committee reminds the Department that the intent of this funding is to help PHAs come into compliance with Federal statutes and regulations in order to improve the living conditions of public housing residents. The Committee prohibits the Department from deeming any PHA that is under the direction of a monitor to be ineligible to apply for or receive funding, provided the agency is in compliance with any current Memorandum of Agreement or Recovery Agreements. The Committee also prohibits HUD from deeming any PHA as ineligible to apply for or receive funding that has a violation or violations of the Lead Safe Housing or Lead Disclosure Rules and who present documentation establishing it is working in good faith to resolve such findings by meeting any deadlines it was required to reach under the terms of a settlement agreement, consent decree, voluntary agreement, or similar document as of the date of application. The Department is also prohibited from precluding funds from being used to carryout work to settle an outstanding violation. The Committee continues to expect the Department to work with PHAs to ensure that the initiative reflects the unique needs of the industry and strongly encourages HUD to work with PHAs, their maintenance staff, and tenants to help ensure potential lead-based paint risks are identified and addressed expeditiously.

The Committee continues to believe that HUD's oversight of the physical condition of the Nation's public housing stock lacks standard guidance and best practices for PHAs to deploy in order to prevent or effectively address mold, carbon monoxide, radon, and other environmental hazards in public housing, and directs the Office of Public and Indian Housing to continue to work with the Office of Lead-Hazard Control and Healthy Homes to develop guidance and conduct webinars on effective solutions to address such hazards in public housing during fiscal year 2021.

ConnectHome.—The ConnectHome initiative provides a platform for collaboration among local governments, PHAs, Internet service providers, philanthropic foundations, nonprofit organizations, and other relevant stakeholders to work together to produce local solutions for narrowing the digital divide in communities across the Nation served by HUD. The Committee encourages the Department to continue to partner with these entities to help identify ways residents living in public housing can connect to broadband infrastructure through technical assistance and digital literacy training, and to work with its partners to take steps to expand the number of participating communities.

Enterprise Income Verification System.—The Committee is aware that Executive Order 13828 highlights the importance of investing in tools to reduce inaccuracies in payments. The Committee is supportive of efforts to reduce improper payments and encourages HUD to ensure that PHAs have access to upfront income verification tools that provide current employment and income verification information.

Public Housing Agency Accreditation.—The Committee appreciates efforts HUD has taken in recent years to improve PHA governance and financial management. To further these efforts, the Committee encourages HUD to explore the feasibility of a partnership between HUD and one or more entities that provide accreditation services to public housing agencies. The Committee envisions that such entities would be nonprofit organizations that have developed standards for, and are experienced with, accrediting affordable housing organizations, including PHAs, and promoting best practices to implement a national accreditation process for affordable housing organizations. Such accreditation would include an evaluation of a PHA's operations, policies, procedures, practices, communications, and relationships with residents and stakeholders. The Committee directs HUD to report to the House and Senate Committees on Appropriations within 240 days of enactment of this act on the feasibility of such partnerships.

CHOICE NEIGHBORHOODS INITIATIVE

Appropriations, 2020	$175,000,000
Budget estimate, 2021	....
Committee recommendation	100,000,000

PROGRAM DESCRIPTION

The Choice Neighborhoods initiative provides competitive grants to transform distressed neighborhoods into sustainable, mixed-income neighborhoods with co-location of appropriate services, schools, public assets, transportation options, and access to jobs or job training. Choice Neighborhoods grants fund the preservation, rehabilitation, and transformation of public and HUD-assisted housing, as well as their neighborhoods. Grantees include PHAs, Tribes, local governments, and nonprofit organizations. For-profit developers may also apply in partnership with another eligible grantee. Grant funds can be used for resident and community services, community development and affordable housing activities in surrounding communities. Grantees undertake comprehensive local planning with input from residents and the community.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $100,000,000 for the Choice Neighborhoods Initiative. This amount is $75,000,000 less than the fiscal year 2020 enacted level and $100,000,000 more than the budget request. Of the total amount provided, not less than $50,000,000 shall be awarded to projects where PHAs are the lead applicant, and no more than $5,000,000 may be used for planning, including planning and action, grants. The Committee continues to direct the Secretary to give priority consideration to grantees that have been previously awarded planning grants when making implementation grant awards.

SELF-SUFFICIENCY PROGRAMS

Appropriations, 2020	$130,000,000
Budget estimate, 2021	190,000,000
Committee recommendation	155,000,000

PROGRAM DESCRIPTION

The Family Self-Sufficiency [FSS] program provides funding to Public Housing Authorities [PHAs] to fund FSS Coordinators to help Housing Choice Voucher, project-based Section 8, and Public Housing residents achieve self-sufficiency and economic independence. The Resident Opportunities and Self-Sufficiency [ROSS] program provides funding to PHAs, public housing resident associations, Native American Tribes, and non-profit organizations to fund Service Coordinators to assist households with employment and educational opportunities. The Jobs Plus Initiative provides grants to PHAs, which are required to partner with Department of Labor jobs centers, and provides public housing residents with case managers to assist in job placement.

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $155,000,000 for self-sufficiency programs in fiscal year 2021. The overall appropriation amount is $25,000,000 more than the fiscal year 2020 enacted level, and $35,000,000 less than the budget request. The Committee recommendation includes $105,000,000 for the FSS program, $35,000,000 for the ROSS program, and $15,000,000 for the Jobs Plus initiative.

Family Self-Sufficiency Program.—The Committee strongly supports the FSS program, which provides public housing and Section 8 residents with the tools to improve their economic stability and financial management skills, and ultimately to achieve self-sufficiency. The Committee directs HUD to prioritize the renewal of all existing coordinators and encourages the participation of new coordinators once the renewal need is met. As the program expands, the Committee expects HUD to continue to provide technical assistance and training as appropriate in order to share best-practices. Further, the Committee strongly encourages the Department to continue working with PHAs and property owners, including those converting existing FSS programs through the Rental Assistance Demonstration, to ensure compliance with reporting and other programmatic requirements.

Easing Barriers to FSS Participation.—In order to facilitate the increased participation of families, the Committee seeks to reduce barriers that can arise from understaffed FSS programs or delays in family enrollment. For the purposes of the NOFA for this program, the Committee directs HUD to use PIH Information Center data from the 12-month period immediately preceding the issuance of the NOFA when calculating the number of new or additional FSS coordinators for which a PHA is eligible to apply. The Committee further directs that for new families enrolling in the FSS program in 2021, the income and rent amounts to be used in the "Program Contract of Participation" shall be taken from the amounts on the last reexamination or interim determination before the family's initial participation in the FSS program.

FSS Performance Metrics.—The Committee has long-supported this program and the important role it can play in the lives of families receiving HUD rental assistance. The Committee has also long-advocated for effective performance measures that will enable the Department to promote best practices across local programs and maximize the number of families that achieve self-sufficiency. The Committee notes that HUD is in the process of improving the quality of the data and the process for analyzing FSS programs, and will continue to review the Department's work in this area.

FSS Data.—The Committee directs HUD to include in its annual budget submission to Congress data showing FSS participation, escrow accumulation, and graduation rates for the FSS program, including data from participating entities without coordinator grants.

NATIVE AMERICAN PROGRAMS

Appropriations, 2020	$825,000,000
Budget estimate, 2021	600,000,000
Committee recommendation	825,000,000

PROGRAM DESCRIPTION

This account funds the Indian Housing Block Grant Program [IHBG], as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330), and the Indian Community Development Block Grant Program [ICDBG], authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93–383). The IHBG program provides a funding allocation on a formula basis to Indian Tribes and their tribally designated housing entities to help address the housing needs within their communities. The ICDBG program provides Indian Tribes the opportunity to compete for funding to address Tribal community development needs.

COMMITTEE RECOMMENDATION

The Committee recommended funding level for Native American programs is equal to the amount provided in fiscal year 2020 and $225,000,000 more than the budget request. The table below provides funding levels for activities within this account.

	Request	Recommendation
Native American Housing Block Grants-Formula	$600,000,000	$647,000,000
Native American Housing Block Grants-Competitive		100,000,000
Title VI Loan Program		1,000,000
Indian Community Development Block Grants		70,000,000
Training and Technical Assistance		7,000,000
Total	600,000,000	825,000,000

Competitive Grants.—IHBG is a vital resource for Tribal governments to address the dire housing conditions in Indian Country, as the quality of and access to affordable housing remains in a critical state for many Tribes across the country. Native Americans living in Tribal areas are nearly twice as likely to live in poverty compared to the rest of the Nation. As a result, the housing challenges on Tribal lands are daunting. According to the American Housing Survey data for 2013, 16 percent of homes on American Indian reservations and off-reservation trust land are overcrowded, compared to 2 percent of households nationwide. In addition to being overcrowded, 34 percent of Native American housing units suffer from one or more physical deficiencies compared to only 7 percent for U.S. households, on average. To assist Tribes with these daunting housing challenges, the Committee recommendation includes $100,000,000 for competitive grants in addition to the formula funding in order to assist areas with greater need. While the Committee is pleased that the 2018 and 2019 funds have been fully awarded, it is unfortunate that the competition for the 2020 funds remains unpublished, preventing a better assessment of the improvements HUD will incorporate into the competition. Moving forward, the Committee directs HUD staff to review and score each application in its entirety. Each fiscal year appropriation shall be administered as a stand-alone competition and may not be combined with prior or future year appropriations, although any remaining balances from the fiscal year 2020 competition may be included in the fiscal year 2021 competition. Additionally, demonstrating sufficient administrative capacity to administer these grants has been, and remains, a critical consideration. Applicants should be required to meet a threshold of capacity, but the competition should not provide additional points for capacity above and beyond what is needed to successfully administer these grants.

Coordinated Environmental Reviews for Tribal Housing and Related Infrastructure.—Since fiscal year 2015, the Committee has directed HUD to collaborate with its Federal agency partners to develop a coordinated environmental review process to simplify and streamline tribal housing development and its related infrastructure needs. The Committee believes that eliminating unnecessary Federal barriers to housing development is an essential component to facilitate an effective use of Federal funding, while also balancing the need to ensure appropriate and necessary environmental protections. The Committee supports HUD's efforts to advance the tribal housing and related infrastructure interagency task force in order to identify opportunities for greater efficiencies. The Committee expects routine reports to the House and Senate Committees on Appropriations on task force meetings, action items, goals, and recommendations.

Technical Assistance.—Limited capacity hinders the ability of many Tribes to effectively address their housing needs. The Committee recommendation includes $7,000,000 for technical assistance needs in Indian Country to support the IHBG program, as well as other HUD programs, in order to meet the needs of Native American families and Indian Country. The Committee expects HUD to use the technical assistance funding provided to aid Tribes with capacity challenges, especially Tribes receiving small grant awards. The funding should be used for training, contract expertise, and other services necessary to improve data collection, increase leveraging, and address other needs identified by Tribes. The Committee also expects that these technical assistance funds will be provided to organizations with experience in providing technical assistance that reflects the unique needs and culture of Native Americans.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

	Program account	Limitation on guaranteed loans
Appropriations, 2020	$1,600,000	$1,000,000,000
Budget estimate, 2021	2,000,000	1,000,000,000
Committee recommendation	2,000,000	1,000,000,000

PROGRAM DESCRIPTION

This program provides access to private financing for Indian families, Indian Tribes, and their tribally designated housing entities that otherwise could not acquire housing financing because of the unique status of Indian trust land. HUD continues to be the largest single source of financing for housing in Tribal communities. This program makes it possible to promote sustainable reservation communities by providing access to financing for higher income Native Americans to achieve homeownership within their Native communities. As required by the Federal Credit Reform Act of 1990 (Public Law 101–508), this account includes the subsidy costs associated with the loan guarantees authorized under this program.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $1,500,000 in credit subsidy to support a loan level of $1,000,000,000. In addition the recommendation provides an additional $500,000 for administrative contract expenses, for a total appropriation of $2,000,000. This funding level is $400,000 more than the fiscal year 2020 enacted level and equal to the budget request.

Oversight and Management.—In response to the Committee's direction, in August of 2018 the HUD Office of Inspector General [OIG] reported on the Office of Native American Programs' [ONAP] use of administrative contract expenses, management processes, and information technology systems to the House and Senate Committees on Appropriations. The OIG found that ONAP's Office of Loan Guarantee [OLG] operated without adequate oversight of the Section 184 program, inappropriately closed six out of ten prior audit recommendations from 2015, was unable to fully account for the use of administrative expenses, and had nearly $2,300,000 in unobligated balances in the administrative contract expense fund. The OIG memorandum states, "Since HUD had not taken corrective actions to properly address audit recommendations in the three years since the issues were identified, the program has been allowed to operate without adequate oversight, statutory authority, and internal written policies and procedures, increasing the risk of waste, fraud and abuse." Clearly, these findings are deeply disturbing. Based on Committee oversight to date, HUD has not made sufficient progress in rectifying these findings. While policies and procedures are now in place, the lack of an operational information system to track, monitor and report on the loan portfolio is unacceptable. The Committee directs HUD to report quarterly to the House and Senate Committee on Appropriations on the steps it is taking to implement corrective actions to the seven open OIG recommendations. Further, the Committee encourages HUD to continue to work with the authorizing committees to enact statutory indemnification authority.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

Appropriations, 2020	$2,000,000
Budget estimate, 2021	....
Committee recommendation	2,000,000

PROGRAM DESCRIPTION

The Hawaiian Homelands Homeownership Act of 2000 (Public Law 106–568) created the Native Hawaiian Housing Block Grant program to provide grants to the State of Hawaii Department of Hawaiian Home Lands [DHHL] for housing and housing-related assistance, 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 recommends an appropriation of $2,000,000 for the Native Hawaiian Housing Block Grant Program, which is equal to the fiscal year 2020 enacted level and $2,000,000 more than the budget request.

The Committee is extremely disappointed at DHHL's repeated failure to meet acceptable performance targets for the expenditure of federally appropriated funds, and its failure to adjust program delivery models to meet the housing needs of low-income Native Hawaiians. While the underlying State constitutional mandate to return Native Hawaiians to the Hawaiian homelands is and should always be the mission of the organization, that does not in any way preclude DHHL from developing affordable, multi-family rental housing for the estimated 34,100 low-income Native Hawaiians who cannot afford traditional or sweat equity homeownership opportunities. This type of residential density will also allow for more efficient use of infrastructure such as roads, sewer, and water lines. Further, DHHL is encouraged to also address the rehabilitation of unsafe and unsanitary housing conditions of low-income Kapuna housing on Hawaiian homelands for which there is also great need.

The Committee directs HUD to ensure that the funds provided are administered to maximize the provision of affordable housing through the construction of high density, multi-family affordable housing and rental units, as well as housing counseling services and the rehabilitation of housing on Native Hawaiian home lands that do not meet safe and sanitary housing building standards.

Community Planning and Development

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

Appropriations, 2020	$410,000,000
Budget estimate, 2021	330,000,000
Committee recommendation	410,000,000

PROGRAM DESCRIPTION

The Housing Opportunities for Persons With AIDS [HOPWA] program provides States and localities with resources and incentives to devise long-term, comprehensive strategies for meeting the housing and supportive service needs of persons living with HIV/AIDS and their families.

By statute, 90 percent of formula-appropriated funds are distributed to qualifying States and metropolitan areas on the basis of the number of living HIV and living AIDS cases, as well as poverty and local housing cost factors. The remaining 10 percent of funds are awarded through a national competition, with priority given to the renewal of funding for expiring agreements consistent with appropriations act requirements.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $410,000,000 for the HOPWA program. The recommended amount is $80,000,000 more than the budget request, and equal to the fiscal year 2020 enacted level. The Committee continues to include language requiring HUD to allocate these funds in a manner that preserves existing HOPWA programs, to the extent that those programs are determined to be meeting the needs of persons with HIV/AIDS.

Meeting the Current Needs of Communities.—It is critical that people in every State have access to funding to support low-income persons living with HIV/AIDS. Accordingly, 10 percent of nonformula funding provides an opportunity to States and units of general local government that do not receive formula funding to apply for competitive grants. The Committee continues to include language requiring HUD to prioritize the renewal of expiring agreements in a manner that preserves existing HOPWA programs and provides new language allowing active competitive grantees to modify and update their original activities to meet the current needs of persons living with HIV/AIDS within their communities.

COMMUNITY DEVELOPMENT FUND

Appropriations, 2020	$3,425,000,000
Budget estimate, 2021	....
Committee recommendation	3,455,000,000

PROGRAM DESCRIPTION

Under title I of the Housing and Community Development Act of 1974 (Public Law 93–383), as amended, the Department is authorized to award block grants to units of general local government and States for the funding of local community development programs. A wide range of physical, economic, and social development activities are eligible, with spending priorities determined at the local level, but the law enumerates general objectives which the block grants are designed to fulfill, including adequate housing, a suitable living environment, and expanded economic opportunities, principally for persons of low- and moderate-income. Grant recipients are required to use at least 70 percent of their block grant funds for activities that benefit low- and moderate-income persons.

Funds are distributed to eligible recipients for community development purposes utilizing the higher of two objective formulas, one of which gives somewhat greater weight to the age of housing stock. Of the funds appropriated, 70 percent are distributed to entitlement communities and 30 percent are distributed to nonentitlement communities after deducting designated amounts for insular areas.

COMMITTEE RECOMMENDATION

The Committee provides $3,455,000,000 for Community Development Fund. The recommended amount is $3,455,000,000 above the budget request and $30,000,000 above the fiscal year 2020 enacted level. The Community Development Block Grant program [CDBG] funding provides States and entitlement communities with resources that allow them to undertake a wide range of community development activities, including public infrastructure improvements, housing rehabilitation and construction, job creation and retention, and public services that primarily benefit low- and moderate-income persons. The Committee strongly rejects the administration's proposal to eliminate this critical infrastructure and supportive services program. Since 2005, CDBG has assisted nearly 1.5 million homeowners with services such as housing rehabilitation, down payment assistance, and lead abatement; helped create or retain over 400,000 jobs; and has benefited over 45 million people through infrastructure improvements. Every dollar of CDBG Federal investment leverages four additional dollars in non-CDBG funding. Urban and rural communities, including communities in which residents experience economic hardship, rely on this funding to serve their most vulnerable residents. This program is vital to our Nation's downtown and neighborhood revitalization efforts, and the Committee believes that every effort must be made to protect this essential funding source. This resource for State and local governments lies at the heart of HUD's community development mission and eliminating it would have a significant negative impact on the lives of millions of Americans.

The flexibility associated with CDBG enables State and local governments to tailor solutions to effectively meet the unique needs of their communities. As HUD works with communities to determine eligible activities that meet the national objective of benefiting low- and moderate-income persons, the Committee encourages the Department to extend flexibility to rural communities with less than 1,000 residents to use alternate sources of data when American Community Survey [ACS] data is considered by the CDBG applicant to be unreliable.

To ensure the program remains flexible, but also accountable and transparent, the Committee recommendation continues provisions in the accompanying bill that prohibit any community from selling its CDBG award to another community, and that require any funding provided to a for-profit entity for an economic development project funded under this act to undergo appropriate underwriting. The Committee has included these provisions to address concerns raised about how program dollars have been used and to mitigate risks associated with these concerns.

Transitional Housing for Individuals Exiting Recovery.—The Committee recommendation includes $30,000,000 for grants to States to enable communities to assist individuals recovering from substance abuse as authorized by section 8071 of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment [SUPPORT] for Patients and Communities Act (Public Law 115–271), building on the $25,000,000 provided in fiscal year 2020.

Clarifying Eligible Activities to Address Homelessness.—According to the 2019 annual homeless assessment report to Congress, 567,715 people were identified as experiencing homelessness on any given night in 2019, a nearly 3 percent increase from the prior year due largely to housing pressures in high-cost urban areas. Alarmingly, 37 percent of individuals and families experiencing homelessness are unsheltered and living outdoors, in tent cities, or in other places unfit for human occupancy, an increase of 9 percent between 2018 and 2019. Therefore, the Committee believes it is incumbent upon HUD to provide communities with a clear understanding of all available resources to combat homelessness and directs HUD to clarify that CDBG funds can be used for the following purposes: (1) the provision of housing assistance relating to homeless individuals, including emergency or temporary shelter, transitional housing, permanent supportive housing or emergency temporary rental assistance; (2) supportive services for persons experiencing homelessness, including mental health services, substance use disorder and recovery services, services related to disabling or other chronic health conditions, and education and job-training; (3) capital building and infrastructure costs associated with the provision of housing and supportive services to homeless individuals; and (4) conditioning rehabilitation assistance for landlords on renting to voucher holders.

CDBG Timely Performance Reviews.—The Committee believes HUD should review its timely expenditure regulations for entitlement grantees in consultation with grantees to ensure HUD's regulations allow for an appropriate number of days needed to effectively allocate funds to projects after receiving the annual grant award from HUD.

Addressing Blight and Abandoned Properties.—Blight and abandoned properties have significant impacts on the health, safety, and economic viability of the communities in which they are located. When undertaken strategically, demolition of abandoned properties can alleviate these harmful effects. The Committee encourages the Department to work with its grantees to identify effective solutions to addressing blight and abandoned properties.

Public-Private Partnership for Disaster Recovery.—The Committee is supportive of Community Development Block Grant-Disaster Recovery [CDBG–DR] grantees establishing collaborative partnerships in order to improve the efficiency and effectiveness of their disaster recovery programs. As such, the Committee encourages grantees to continue to develop and utilize public-private partnerships, including for mitigation activities such as acquiring and/or relocating at-risk properties, if those partnerships can result in improved program delivery that reduces costs and future risk. The Committee further encourages HUD to disseminate to grantees best practices related to establishing public-private partnerships that aid in long-term recovery and reducing the risk of future disasters.

CDBG Disaster Recovery [CDBG–DR] Grant Agreements.—The Committee is aware that the Department has bifurcated funds for some grantees in their CDBG–DR grant agreements. This conditions the amount of funding available for drawdown by requiring the grantee to first meet specific expenditure thresholds. While the Committee supports efforts to help grantees effectively manage their funds and align expenditures to performance metrics, the Committee is also aware that this effort may result in inefficiencies impacting a grantee's implementation of their HUD approved action plan. As such, the Committee directs HUD to review its bifurcation policy, terms and conditions, and the benefits and inefficiencies generated by this policy.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

	Program account	Limitation on guaranteed loans
Appropriations, 2020	....	$300,000,000
Budget estimate, 2021	....	....
Committee recommendation	....	300,000,000

PROGRAM DESCRIPTION

Section 108 of the Housing and Community Development Act of 1974 (Public Law 93–383), as amended, authorizes the Secretary to issue Federal loan guarantees of private market loans used by entitlement and nonentitlement communities to cover the costs of acquiring real property, rehabilitation of publicly owned real property, housing rehabilitation, and other economic development activities.

COMMITTEE RECOMMENDATION

The Committee recommendation provides a loan level guarantee of $300,000,000 which is equal to the fiscal year 2020 enacted level and $300,000,000 above the budget request. The Committee requires HUD to collect fees to offset credit subsidy costs such that the program operates at a net zero credit subsidy cost.

This program enables CDBG recipients to use their CDBG dollars to leverage financing for economic development projects, community facilities, and housing rehabilitation programs. Communities are allowed to borrow up to five times their most recent CDBG allocation.

HOME INVESTMENT PARTNERSHIPS PROGRAM

Appropriations, 2020	$1,350,000,000
Budget estimate, 2021	....
Committee recommendation	1,375,000,000

PROGRAM DESCRIPTION

Title II of the National Affordable Housing Act (Public Law 101–625), as amended, authorizes the HOME Investment Partnerships Program [HOME]. This program provides assistance to States and local governments for the purpose of expanding the supply and affordability of housing to low- and very low-income people. Eligible activities include tenant-based rental assistance, acquisition and rehabilitation of affordable rental and ownership housing, and housing construction. To participate in the HOME program, State and local governments must develop a comprehensive housing affordability strategy. There is a 25 percent matching requirement for participating jurisdictions, which can be reduced or eliminated if they are experiencing fiscal distress.

COMMITTEE RECOMMENDATION

The Committee does not support the elimination of this program as proposed in the budget request and recommends an appropriation of $1,375,000,000 for the HOME program. This amount is $25,000,000 more than the fiscal year 2020 enacted level and $1,375,000,000, more than the budget request.

Affordable Housing Needs.—Communities across the country are facing an affordable housing crisis as rents are on the rise nationally, low- and moderate-incomes are relatively stagnant, and the production of affordable housing units lags far behind the need. Between 2001 and 2015, the share of overburdened renter households that spent more than half of their income on rent increased 42 percent. Severe rent burdens are more prevalent and damaging for extremely low-income renters. Of the 10.9 million extremely low-income renters across the country, nearly 71 percent spend more than half of their income on rent and 41 percent are seniors or people with disabilities. The HOME program is the sole Federal assistance program at HUD targeted to help State and local participating jurisdictions leverage public and private resources to develop and sustain affordable housing opportunities for low-income individuals and families. The program is an essential tool to address the shortfall of a market driven economy that is ill equipped to bridge the lack of profitability in affordable housing development and with traditional private sector housing financing. In most cases, the HOME program provides the necessary public gap financing to facilitate private sector investment in affordable housing, enabling significant leverage capacity of public and private resources. In fact, the program's leverage capacity grew from $4.32 for every Federal dollar in 2017 to an average of $7.19 in 2018. For rental projects specifically, this amount was even higher, leveraging $9.33 for every HOME dollar. The Committee supports innovative projects that combine public and private capital, and directs HUD to continue to work to expand the supply and affordability of housing for low-income and very low-income people.

Reconciling Income Guidelines for Disabled Veterans.—There are 4.7 million veterans with disabilities and 1.5 million veterans living in poverty in the United States. However, connecting veterans to affordable housing based on their disability and/or income status can be difficult. Many multifamily affordable housing developments are financed with a combination of HOME funds and the Department of the Treasury's Low Income Housing Tax Credits [LIHTC]. However, the income guidelines for HUD's HOME program and LIHTC vary, and reconciling the two program's requirements can be challenging. As such, the Committee directs the Department to work with the Department of Treasury to determine policies that align HUD and LIHTC guidelines to address the housing needs of low-income disabled veterans.

Environmental Reviews.—The Committee is concerned that grantees of HUD's community development programs must navigate inconsistent environmental reviews processes, especially between the HOME and Housing Trust Fund programs. These inconsistencies have led to project delays, increased costs, and grantee confusion when trying to comply with Federal regulations. In fiscal year 2020, the Department was directed to issue regulations aligning the environmental regulations for the HOME and Housing Trust Fund programs and has yet to do so. Therefore, the Committee directs HUD to issue regulations within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

Appropriations, 2020	$55,000,000
Budget estimate, 2021	....
Committee recommendation	60,000,000

PROGRAM DESCRIPTION

The Self-Help and Assisted Homeownership Opportunity Program provides funding for several programs, including the Self-Help Homeownership Opportunity Program [SHOP], which assists low-income homebuyers who are willing to contribute "sweat equity" toward the construction of their houses. These funds increase nonprofit organizations' ability to leverage funds from other sources. This account also includes funding for the Capacity Building for Community Development and Affordable Housing Program, as well as assistance to rural communities, as authorized under sections 6301 through 6305 of Public Law 110–246. These programs assist in the development of the capacity of nonprofit organizations to carry out community development and affordable housing projects. This account also provides funding for the rehabilitation and modification of the homes of veterans, who are low-income or disabled, as authorized by section 1079 of Public Law 113–291.

COMMITTEE RECOMMENDATION

The Committee recommends $60,000,000 for the Self-Help and Assisted Homeownership Opportunity Program, which is $5,000,000 more than the fiscal year 2020 enacted level and $60,000,000 more than the budget request. The Committee rejects the administration's proposal to eliminate this account. The Committee recommendation includes $10,000,000 for SHOP, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996 of Public Law 104–120; $41,000,000 for capacity building, as authorized by section 4(a) of the HUD Demonstration Act of 1993 Public Law 104–120; $5,000,000 to carry out capacity building activities in rural communities; and $4,000,000 for a program to rehabilitate and modify housing for veterans, who are low-income or disabled. The Committee notes that funding for technical assistance is being provided under the Office of Policy Development and Research and directs that funds available for the Section 4 program be used solely for capacity building activities.

Funding for the Rural Capacity Building Program for Community Development and Affordable Housing is intended for truly national organizations. For the purposes of the National Rural Capacity Building NOFA, the Committee directs HUD to define an eligible national organization as "a nonprofit entity, which has ongoing experience in rural housing, including experience working with rural housing organizations, local governments, and Indian Tribes, as evidenced by past and continuing work in one or more States in eight or more of HUD's Federal regions."

Capacity Building to Address the Housing Needs of Native Communities.—The Section 4 Capacity Building for Community Development and Affordable Housing Program provides Federal funding to national nonprofit intermediaries to carry out affordable housing and community development activities, including increasing access to safe and affordable housing and supporting income and asset building opportunities. Native American, Native Hawaiian, and Alaskan Native communities and populations, much like other communities, face rising housing cost burdens, barriers to homeownership, and disproportionate physical housing and system deficiencies. Therefore, the Committee encourages targeted capacity building activities to address housing affordability and physical needs in Tribal communities and populations.

Assistance for Low-Income and Disabled Veterans.—The Veterans Housing Rehabilitation and Modification pilot program awards grants to nonprofit organizations to rehabilitate or modify the primary residences of disabled, low-income veterans in order to improve accessibility and to assist some of the 4.7 million veterans in the United States with a service-connected disability and the nearly 1.5 million living in poverty. The Committee is pleased that HUD is now processing the NOFA and awards process in a timely manner and expects additional funding in this and any future year appropriations to receive similar due diligence.

HOMELESS ASSISTANCE GRANTS

Appropriations, 2020	$2,777,000,000
Budget estimate, 2021	2,773,000,000
Committee recommendation	2,951,000,000

PROGRAM DESCRIPTION

The Homeless Assistance Grants Program provides funding to break the cycle of homelessness and to move homeless persons and families to permanent housing. This is done by providing rental assistance, emergency shelter, transitional and permanent housing, prevention, rapid re-housing, and supportive services to homeless persons and families or those at risk of homelessness. The emergency solutions grant program is a formula grant program, while the Continuum of Care and Rural Housing Stability Programs are competitive grants. Homeless assistance grants provide Federal support to the Nation's most vulnerable populations. These grants assist localities in addressing the housing and service needs of a wide variety of homeless populations while developing coordinated Continuum of Care [CoC] systems that ensure the support necessary to help those who are homeless attain housing and move toward self-sufficiency.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,951,000,000 for Homeless Assistance Grants in fiscal year 2021. This amount is $178,000,000 above the budget request, and $174,000,000 above the fiscal year 2020 enacted level.

The Committee recommendation includes $2,524,000,000 to support the CoC program, including the renewal of existing projects, and the rural housing stability assistance program. Based on the renewal costs, HUD may also support planning and other activities authorized by the Homeless Emergency Assistance and Rapid Transition to Housing [HEARTH] Act of 2009 (Public Law 111–22). The recommendation also includes $290,000,000 for the emergency solutions grants program.

Addressing the Needs of Victims and Survivors of Domestic Violence.—The Committee recommendation includes $50,000,000 in competitive CoC grants for rapid re-housing projects and supportive service projects providing coordinated entry and other critical activities in order to assist survivors of domestic violence, dating violence, and stalking. The Committee includes language requiring that such projects be eligible for renewal under the COC program, subject to the same terms and conditions as other renewal applicants. The Committee expects HUD to work with CoCs to ensure that such projects do not supplant projects eligible for renewal as part of the 2022 CoC grant competition.

Comprehensive Interventions to Prevent and End Youth Homelessness.—The Committee recommendation includes $80,000,000 to continue implementation of comprehensive approaches to serving homeless youth, of which up to $10,000,000 shall be used to provide technical assistance to grantees. The Committee directs HUD to ensure that sufficient technical assistance resources are directed to rural areas. The Committee applauds HUD's decision to use a portion of its technical assistance funding to support the 100-day challenge initiative, a program that helps communities accelerate efforts to prevent and end youth homelessness. By offering local service providers the opportunity to come together to identify impediments and establish goals, the 100-day challenge leaves communities better prepared to confront youth homelessness in a comprehensive manner. The program also lays the groundwork for participants seeking to apply for a Youth Homelessness Demonstration Grant award.

Clarifying Eligibility and Documentation Requirements for Homeless Youth.—The Committee continues to include language that waives the requirement for youth ages 24 and under to provide third-party documentation to receive housing and supportive services within the CoC. The Committee strongly believes documentation requirements should not be a basis for denying access to necessary services. The Committee believes the Department shares the goal of effectively addressing youth homelessness and ensuring that no eligible youth go unserved where there is the local capacity to house and/or provide services. Therefore, the Committee encourages the Department to continue to clarify program requirements through guidance, notice, and webcasts as appropriate.

Coordinated Entry and Youth Homelessness.—The Committee encourages the use of coordinated entry as a process to ensure that youth experiencing a housing crisis have access to and are quickly identified, assessed for, referred, and connected to housing and assistance based on their strengths and needs. Coordinated entry is a key component of the coordinated community response to prevent and end youth homelessness. A successful youth-inclusive coordinated entry process includes implementation of a systems-level, youth-focused approach for youth access, screening, and assessment, prioritization, and referral to housing and supportive services. The Committee reminds HUD and service providers that transitional housing is an effective and successful housing strategy for homeless youth. The Committee directs HUD to provide information on successful youth transitional housing models on its website.

Annual Homeless Assessment Report [AHAR].—The Committee continues to direct HUD to incorporate additional Federal data on homelessness, particularly as it relates to youth homelessness, into the AHAR. This information is important to ensure that communities develop and implement policies that respond to local needs. The Committee has included $7,000,000 to support continued AHAR data collection and analysis. The Department shall submit the AHAR report to the House and Senate Committees on Appropriations by August 29, 2021.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

Appropriations, 2020	$12,570,000,000
Budget estimate, 2021	12,642,000,000
Committee recommendation	13,403,000,000

PROGRAM DESCRIPTION

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

The Section 8 Project-Based Rental Assistance [PBRA] program supports an estimated 17,400 contracts with private owners of multifamily housing. Through this program, HUD and private sector partners support the preservation of safe, stable, and sanitary housing for more than 1.2 million low-income households. Without PBRA, many affordable housing projects would convert to market rates with large rent increases that current tenants would be unable to afford.

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $13,403,000,000 for the annual renewal of project-based contracts, of which up to $350,000,000 is for the cost of contract administrators and $3,000,000 is for tenant outreach and education activities.

The recommended level of funding is $833,000,000 above the amount provided in fiscal year 2020 and is $761,000,000 above the budget request.

Performance-Based Contract Administrators.—Performance-based contract administrators [PBCAs] are typically PHAs or State housing finance agencies [HFAs]. They are responsible for conducting on-site management reviews of assisted properties; adjusting contract rents; and reviewing, processing, and paying monthly vouchers submitted by owners, among other tasks. The Committee notes that PBCAs are integral to the Department's efforts to be more effective and efficient in the oversight and monitoring of this program, reduce improper payments, protect tenants, and ensure properties are well maintained. The Committee is concerned that proposals to reduce the scope of work performed by PBCAs, diminish the applicability of Federal law, or consolidate PBCAs into regional awards versus State-by-State will have a detrimental effect on the oversight of these HUD-assisted properties and the individuals and families that rely on this critical source of affordable housing. The Committee recognizes that as HUD continues the complicated task of developing a PBCA procurement solicitation, it has been able to engage with PBCAs to renegotiate current contracts lowering fees while ensuring all important tasks are included. The Committee directs HUD to ensure that the solicitation does not impede HFAs from bidding on State-based contracts.

Oversight of Property Owners.—The Committee places a priority on providing access to safe, sanitary, and affordable housing to those most in need. If owners fail to uphold these standards, HUD should hold them accountable. The Committee continues to include a general provision requiring the Department to take specific steps to ensure that serious defects are quickly addressed. This provision requires the Secretary to take explicit actions if an owner fails to maintain its property, including imposing civil monetary penalties, securing a different owner for the property, or transferring the Section 8 contract to another property.

Managing Troubled Properties.—The Committee remains concerned for tenants enduring deplorable living conditions that risk their health and safety, as a result of delayed or inaccurate REAC inspections of troubled properties and HUD's inability to track property owners under litigation for failure to maintain decent, safe, and sanitary housing. Further, the Committee remains concerned with HUD's management challenges to assist and monitor these properties due to a lack of coordination with local field offices and units of local government, or an awareness of local code violations or tenant complaints which could result in significant unenforced code violations. In fiscal year 2020, the Committee directed HUD to analyze the feasibility of developing a process by which PBCAs can conduct a survey of tenants living in properties under a housing assistance payment contract in order to identify persistent problems with either physical conditions or property management. The Committee also directed the Department to issue guidance to local field staff to improve collaboration and leverage local and regional coordination between and among field offices and units of local government (including building inspectors) to monitor and assist troubled properties, enforce corrective actions as necessary, and hold owners accountable for meeting contractual terms and conditions. The Committee is pleased that HUD issued guidance to local field staff in March 2020. Field offices should continue to reach out to their local government partners to share best practices and inspection results, improve visibility of local code enforcement actions, and engage senior leadership with challenges field offices often face when managing or assisting troubled properties.

HOUSING FOR THE ELDERLY

Appropriations, 2020	$793,000,000
Budget estimate, 2021	853,000,000
Committee recommendation	853,000,000

PROGRAM DESCRIPTION

This account provides funding for housing for the elderly pursuant to section 202 of the Housing Act of 1959 (Public Law 86–372). Under this program, the Department provides capital grants to eligible entities for the acquisition, rehabilitation, or construction of housing for seniors, as well as project-based rental assistance contracts [PRACs] to support the operational costs of such units. Tenants living in section 202 supportive housing units can access a variety of community-based services in order to continue living independently in their communities and effectively age in place.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $853,000,000 for the Section 202 program. This amount is $60,000,000 more than the amount provided in fiscal year 2020 and equal to the budget request. The Committee's recommendation includes $662,000,000 for the costs associated with fully funding all annual PRAC renewals and amendments; $14,000,000 to extend the integrated wellness in supportive housing [IWISH] demonstration; $38,500,000 for new capital advances; and $138,500,000 for service coordinators and the continuation of existing congregate service grants, including $38,500,000 for new service coordinator grants.

Service Coordinators.—Service coordinators are responsible for connecting senior residents to supportive services offered by community agencies in order to further those seniors' independence and to assist them with aging in place. The service coordinator grant program pays the salaries and fringe benefits of service coordinators, as well as related program administrative costs. Retention rates for service coordinators have declined as educational requirements for the position have increased, but salaries have remained stagnant. This turnover not only disrupts the ability of the Department to provide grants that are utilized each year, but also breaks needed continuity in low-income elderly households' access to supportive services. The Committee encourages the Department to continue its ongoing work to improve retention rates by allowing grantees to increase salaries for service coordinators to market-appropriate rates, where justified. To assist with these efforts, the Committee provides $100,000,000 for the renewal of service coordinator grants. This additional funding shall be used to minimize dependence on annual offsets to maintain the program. The Committee also provides an additional $38,500,000 for new service coordinator grants so that low-income elderly residents of additional properties can benefit from this assistance.

The Committee is also concerned that the Department remains unable to identify or locate service coordinators who serve assisted elderly housing developments, but are compensated through the operational budgets of the property rather than a service coordinator grant. This deficiency was identified in a GAO report which it was estimated that roughly half of Section 202 properties had a service coordinator, but found the Department's data to be less than reliable for budget-based service coordinators. The Department has stated that it is working with relevant properties to be able to identify and locate budget-based service coordinators with confidence as soon as possible through the standards for success reporting program. The Committee therefore directs HUD to implement the following recommendations from the GAO: (1) continue to improve the accuracy of the Department's data on Section 202 properties with service coordination; (2) develop and make available written guidance on assessing compliance with supportive services requirements; and (3) develop and implement procedures for verifying and analyzing performance data.

Integrated Wellness In Supportive Housing Demonstration.—In fiscal year 2014, the Department was provided $22,500,000 to develop a demonstration to produce evidence of the effectiveness of an enhanced supportive services model for elderly households, and to determine the health benefits and cost savings of enhanced service coordination paired with affordable housing for seniors. In January 2017, three-year demonstration grants were awarded to 80 senior housing developments to provide a full-time service coordinator and a part-time preventative health nurse on-site. The Committee supports the budget request to extend the supportive housing demonstration, as the continuation of these activities will produce a more robust dataset needed to better understand the impact that service coordinators have on both seniors' ability to age in place and on preventing unnecessary heath care utilization. In light of this extension, the Committee expects and directs on-time reporting to Congress with the appropriate evaluative measures as directed by this and prior Appropriations acts. Within 60 days of enactment of this act, the Committee directs the Department to provide a briefing to the House and Senate Committees on Appropriations outlining the anticipated outcomes through the enhanced analysis of data collected through the extension of this demonstration.

PRAC/SPRAC Renewals.—In light of the repeated need for a continuing resolution anomaly to ensure sufficient resources are available for PRAC/SPRAC renewal contracts in the absence of a full-year appropriation, the Committee is concerned that the program management of the annual renewal process requires further analysis and continuity. The Department is thereby directed to evaluate methodologies to improve the renewal process, and shall identify existing funding and administrative mechanisms where possible to assess the scheduling of renewal anniversary dates to more effectively meet the annual renewal need, and report to the House and Senate Committees on Appropriations on such findings and recommendations.

HOUSING FOR PERSONS WITH DISABILITIES

Appropriations, 2020	$202,000,000
Budget estimate, 2021	252,000,000
Committee recommendation	237,000,000

PROGRAM DESCRIPTION

This account provides funding for housing for persons with disabilities pursuant to section 811 of the Cranston-Gonzalez National Affordable Housing Act of 1990 (Public Law 101–625). Traditionally, the Section 811 program provided capital grants to eligible entities for the acquisition, rehabilitation, or construction of housing for persons with disabilities, as well as project-based rental assistance contracts [PRACs] to support the operational costs of such units. Since fiscal year 2012, HUD has transitioned to providing project rental assistance to State housing finance agencies or other appropriate entities, which act in partnership with State health and human services agencies to provide supportive services, as authorized by the Frank Melville Supportive Housing Investment Act of 2010 (Public Law 111–374).

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $237,000,000 for the Section 811 program. This amount is $15,000,000 less than the budget request and $35,000,000 more than the fiscal year 2020 enacted level. This level of funding, in addition to residual receipts, recaptures, and other unobligated balances, will support all PRAC renewals and amendments while also providing up to $60,000,000 for the creation of new affordable housing for persons with disabilities through project rental assistance [PRA].

Individuals with Intellectual and Developmental Disabilities [I/DD].—As a result of deinstitutionalization, the vast majority of people with I/DD now live in their local communities. This is an important step toward full inclusion for persons with disabilities, but it has also resulted in placing the primary caregiving responsibility on parents and other unpaid family members. As these caregivers continue to age, ensuring continued care and support becomes a growing challenge. Today, about 75 percent of adults with I/DD live with their parents or other family members, and there are nearly one million households in which an adult with I/DD is living with caregivers 60 or older. Nationwide, half of these caregivers are older than 50, and 10 percent are 75 or older. To help respond to this growing need, the Committee directs HUD to prioritize projects targeting and serving individuals with I/DD who have been receiving care through family members when awarding the new PRA funds provided in this act.

HOUSING COUNSELING ASSISTANCE

Appropriations, 2020	$53,000,000
Budget estimate, 2021	45,000,000
Committee recommendation	53,000,000

PROGRAM DESCRIPTION

The housing counseling assistance program provides comprehensive housing counseling services to eligible homeowners and tenants through grants to non-profit intermediaries, State government entities, and other local and national agencies. Eligible counseling activities include: pre- and post-purchase education, personal financial management, reverse mortgage product education, foreclosure prevention and mitigation, and rental counseling.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $53,000,000 for the housing counseling assistance program. This level of funding is $8,000,000 more than the budget request and equal to the fiscal year 2020 enacted level. This funding will provide individuals and families across the country with counseling services designed to help improve their finances with the goal of attaining homeownership and maintaining their home over time. Specifically, this funding will provide competitive grants and trainings to a network of HUD-approved housing counseling organizations that make a wide variety of counseling services available to individuals and families seeking to make more informed housing decisions, including assistance with preventing foreclosure and homelessness. In addition, administrative contract support funding is provided to help achieve the goals of the housing counseling assistance program and includes assistance for conducting financial audits and providing technical assistance to housing counseling agencies. The Committee continues language requiring HUD to obligate housing counseling grants within 180 days of enactment of this act, as well as permitting HUD to publish multi-year NOFAs, contingent on annual appropriations. This should result in administrative savings for both HUD and its grantees.

Real Estate Wire Fraud.—The Committee is concerned about the increasing threat of real estate wire fraud in homeownership and rental housing markets. According to the Federal Bureau of Investigation's Internet Crime Report, roughly $221,000,000 was lost through real estate wire fraud in 2019. The Committee notes that HUD is developing materials for housing counseling agencies and stakeholders to address this growing threat and encourages HUD to work with its agency partners in developing tools, guidelines, and educational materials. The Committee directs HUD to brief the House and Senate Committees on Appropriations within 90 days of enactment of this Act on the efforts of HUD, interagency partners, and housing counseling agencies to educate consumers on real estate wire fraud.

Housing Counseling Agency Partnerships with Minority-Serving Institutions.—The Committee directs HUD to use not less than $3,000,000 of the funds provided for the housing counseling grant program specifically for housing counseling agencies to partner with historically black colleges and universities, Tribal colleges and universities and other minority-serving institutions [MSIs].

Meeting the Housing Counseling Certification Deadline.—On August 5, 2020, HUD published an Interim Final Rule in the Federal Register (85 FR 47300) that extended the deadline to certify all

HUD-approved housing counselors by 1 year to August 1, 2021. Extending the deadline will ensure that housing counseling agencies have additional time to certify counselors who provide critical services to homebuyers and renters, such as eviction and foreclosure prevention. Certification is statutorily required to increase consumer assurance that services provided by HUD-approved agencies and counselors are meeting Federal and industry standards. However, the Committee is concerned that despite having 3 years to meet the initial deadline, only 55 percent of housing counselors passed the certification exam prior to the publication of the Interim Final Rule. The Committee provided an additional $3,000,000 in fiscal year 2020 and approved the reprogramming of $3,550,000 in fiscal year 2019 funds to assist agencies and counselors with meeting the testing and certification requirements. The Committee recommendation maintains funding levels for fiscal year 2021 and expects the Department to utilize the extension and additional available programmatic resources to certify all remaining counselors by the August 1, 2021 deadline.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

Appropriations, 2020	$13,000,000
Budget estimate, 2021	14,000,000
Committee recommendation	14,000,000

PROGRAM DESCRIPTION

The National Manufactured Housing Construction and Safety Standards Act of 1974 (Public Law 93–383), as amended by the Manufactured Housing Improvement Act of 2000 (Public Law 106–569), authorizes the Secretary to establish Federal standards for the construction, design, safety, and performance of manufactured homes. All manufactured homes are required to meet these Federal standards, and fees are charged to producers to cover the costs of administering the act.

COMMITTEE RECOMMENDATION

The Committee recommends $14,000,000 to support the manufactured housing standards programs, of which $14,000,000 is expected to be derived from fees collected and deposited into the Manufactured Housing Fees Trust Fund account [Trust Fund]. No direct appropriation is provided. The total amount recommended is equal to the budget request and $1,000,000 more than the fiscal year 2020 enacted level. The Committee recommendation directs that not more than $4,500,000 shall be for monitoring of manufacturers' compliance with construction and safety standards by third-party inspection agencies.

Originally, HUD's partnership payments to States were based on new homes produced in States and new homes shipped into States. The Manufactured Housing Improvement Act of 2000 (Public Law 106–569) changed this formula by requiring HUD to pay States at rates not less than the amount paid in 2000. While beneficial to some States, this has created inequitable payments over time when compared to potential current payments based on anticipated workload from actual production and shipments. As the manufactured housing industry continues to recover from the economic crisis, HUD has recognized that additional payments need to be made to States and published a proposed rule (81 FR 91083) in 2016 in order to provide for a more equitable guarantee of minimum funding and to base such payments upon participation in the production or siting of new manufactured homes. The Committee directed HUD to publish a final rule on this matter in fiscal year 2020 and is disappointed that the Department did not complete and publish a final rule within the specified timeframe. The Committee directs the Department to publish the final rule. Additionally, the Committee continues to provide additional appropriations to make those increased payments based on anticipated workload from actual production and shipments.

The Committee continues to permit the Department to collect fees from program participants in the dispute resolution and installment programs, as mandated by the Manufactured Housing Improvement Act of 2000 (Public Law 106–569). These fees are to be deposited into the Trust Fund and may be used to support the manufactured housing standards programs, subject to the overall funding limitation placed on this account.

Federal Housing Administration

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

	Limitation on direct loans	Limitation on guaranteed loans	Administrative contract expenses
Appropriations, 2020	$1,000,000	$400,000,000,000	$130,000,000
Budget estimate, 2021	1,000,000	400,000,000,000	130,000,000
Committee recommendation	1,000,000	400,000,000,000	130,000,000

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

	Limitation on direct loans	Limitation on guaranteed loans
Appropriations, 2020	$1,000,000	$30,000,000,000
Budget estimate, 2021	1,000,000	30,000,000,000
Committee recommendation	1,000,000	30,000,000,000

PROGRAM DESCRIPTION

The Federal Housing Administration [FHA] fund covers the mortgage and loan insurance activity of HUD mortgage/loan insurance programs. These include the mutual mortgage insurance [MMI] fund, cooperative management housing insurance [CMHI] fund, general insurance [GI] fund, and the special risk insurance [SRI] fund. For presentation and accounting control purposes, these are divided into two sets of accounts based on shared characteristics. The unsubsidized insurance programs of the mutual mortgage insurance fund and the cooperative management housing insurance fund constitute one set; and the general risk insurance and special risk insurance funds make up the other.

COMMITTEE RECOMMENDATION

The Committee has included the following amounts for the Mutual Mortgage Insurance Program account: a limitation on guaranteed loans of $400,000,000,000; a limitation on direct loans of

$1,000,000; and $130,000,000 for administrative contract expenses. For the GI/SRI account, the Committee recommends $30,000,000,000 as a limitation on guaranteed loans and a limitation on direct loans of $1,000,000. The Committee supports the goal of improving FHA's system automation, risk management, and quality control efforts, and has included funding in the Information Technology Fund account for these purposes.

Home Equity Conversion Mortgages [HECM].—The Committee urges the Department to continue to take appropriate actions to ensure transparency and improve the resolution of defaulted and foreclosed FHA Home Equity Conversion Mortgage loans which have been assigned to HUD in order to improve program performance and loss mitigation results for borrowers. The Committee remains concerned that HUD has not taken the necessary steps to build on its existing loss mitigation authorities through programs such as the cash for keys, in order to mitigate the risk of HECM loans held before January 1, 2016. Further, HUD lacks the necessary data sharing and public reporting on the HECM portfolio, including loan performance and sales. To ensure transparency, the Committee reminds the Department of the fiscal year 2020 directive to make public data tables used to compile the annual actuarial review, complete with a data element dictionary. All personal identifying information shall be removed from this data to ensure appropriate privacy. The Committee continues to direct HUD to reinstate online publishing of the HECM Single-Family Data Report. The Committee encourages HUD to include FHA loan-level origination and performance data, including servicing and termination information as part of this report.

Reporting on Distressed Assets.—In order to provide public transparency on the management of taxpayer assets through the sale of Secretary-held residential loans, HUD regularly published a "Report to the Commissioner on Post-Sale Reporting Distressed Asset Stabilization Program [DASP]" between 2012 and 2016. These reports included data on outcomes and resolutions of distressed loans sold under DASP, including the structure of loan modifications and demographic and geographic information about the borrowers. In an effort to further the Department's mission of sustainable homeownership, as well as its responsibilities to taxpayers, the Committee continues to direct the Secretary to publish online, within 60 days of enactment of this act, a similar report or reports showing the post-sale status of all loans sold through HUD's Single Family Asset Sales program, including forward and HECM loans and non-DASP sales since January 2017, and to publish online similar reports on a semi-annual basis thereafter. Such reports shall contain the standards used to determine affordability of modified payments, including data concerning debt-to-income ratios for loans modified by purchasers.

Government National Mortgage Association

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

	Limitation on guaranteed loans	Limitation on personnel, compensation and administrative expenses
Appropriations, 2020	$550,000,000,000	$30,500,000
Budget estimate, 2021	550,000,000,000	31,479,000
Committee recommendation	550,000,000,000	33,500,000

PROGRAM DESCRIPTION

The Government National Mortgage Association [Ginnie Mae], through the mortgage-backed securities program, guarantees privately issued securities backed by pools of Government-guaranteed mortgages. Ginnie Mae is a wholly owned corporate instrumentality of the United States within the Department. Its powers are prescribed generally by title III of the National Housing Act (Public Law 73–479), as amended. Ginnie Mae is authorized by section 306(g) of the act to guarantee the timely payment of principal and interest on securities that are based on and backed by a trust, or pool, composed of mortgages that are guaranteed and insured by the FHA, the Rural Housing Service, or the Department of Veterans Affairs. Ginnie Mae's guarantee of mortgage-backed securities is backed by the full faith and credit of the United States. This account also funds all salaries and benefits funding to support Ginnie Mae.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on new commitments on mortgage-backed securities of $550,000,000,000. This level is the same as the budget request and fiscal year 2020 enacted level. The bill allows Ginnie Mae to use $33,500,000 for salaries and expenses. This is $3,000,000 more than the fiscal year 2020 enacted level and $2,021,000 more than the budget request.

Hiring and Retention.—In 2019, GAO released a report on Ginnie Mae's Risk Management and Staffing-Related Challenges (GAO–19–191), which found that Ginnie Mae overwhelmingly relies on contractors to fulfill its mission critical functions and that the Department has not done a comprehensive workforce analysis to identify how much of Ginnie Mae's contract workforce can be shifted in-house or identified the costs and benefits of doing such a restructure. In response, the Committee directed the Department to analyze how Ginnie Mae's workforce fulfills its mission and to assess the impacts of shifting its core functions from contractors to government employees. The Department's analysis reveals the need for Ginnie Mae's workforce and technological capabilities to be flexible to changing market conditions, and the Committee recognizes its importance. However, the Committee is concerned that much of this flexibility relies on HUD's relationship to its contractor workforce and their capacity to quickly respond. The Committee believes that the number of government employees overseeing Ginnie Mae's contracts for core functions related to capital markets, issuer portfolio management and securities operation is insufficient given the volume of contracts, the risk associated with carrying out these functions, and the number of contract employees associated with these contracts. The Committee believes that in order for the Department to better position Ginnie Mae and its assets, greater flexibility is required in direct hiring authority in order to increase internal capacity for oversight of core functions and contracts and directs the Department to include recommendations to accomplish this as part of the fiscal year 2022 budget request. The Committee notes that all priority recommendations for Executive action related to the GAO–19–191 report remain open and directs Ginnie Mae to work with GAO to address all open items within 270 days of enactment of this act. Further, the Committee encourages the Department to continue to work with the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs to provide GNMA the statutory flexibilities necessary to improve employee hiring and employee retention.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2020	$98,000,000
Budget estimate, 2021	94,650,000
Committee recommendation	98,000,000

PROGRAM DESCRIPTION

Title V of the Housing and Urban Development Act of 1970 (Public Law 91–609), as amended, directs the Secretary of the Department of Housing and Urban Development to undertake programs of research, evaluation, and reports relating to the Department's mission and programs. These functions are carried out internally and through grants and contracts with industry, nonprofit research organizations, educational institutions, and through agreements with State and local governments and other Federal agencies. The research programs seek ways to improve the efficiency, effectiveness, and equity of HUD programs and to identify methods to achieve cost reductions. Additionally, this appropriation is used to support HUD evaluation and monitoring activities and to conduct housing surveys.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $98,000,000 for research, technology, and community development activities in fiscal year 2021. This level is equal to the fiscal year 2020 enacted level and $3,350,000 more than the budget request.

The Committee recommends $54,500,000 for core research and technology, including: market surveys; research support and dissemination; data acquisition; housing finance studies; research partnerships; housing technology; $500,000 for innovation activities; and $4,000,000 for cooperative agreements and research partnerships with historically black colleges and universities. The Committee's recommendation also includes $26,000,000 for Department-wide technical assistance and $17,500,000 for critical research, demonstrations, and evaluations.

Of the amount provided for critical research beyond the core studies, the recommendation includes

—Continued funding for evaluations of the Moving-to-Work program and expansion, the pay-for-success permanent supportive housing partnership between HUD and the Department of Justice, and the supportive services demonstration [IWISH]; and

—New funding for a study on unsheltered homelessness modeled on the family options study, a review of the effectiveness of disaster recovery funding, an additional follow-up evaluation of the first-time homebuyer education and counseling demonstration, a Section 8 voucher success rate study, a review of the existing Federal tools to preserve and develop affordable housing, and a feasibility study of the creation of an eviction database.

HUD shall include details on its allocation of these resources in its operating plan.

Fair Market Rents [FMRs].—Last year, the Department issued a notice of proposed rulemaking to improve the FMR calculation. These proposed changes included the use of local and regional forecasting for calculating trend factors and refining the small area FMR calculation to include the use of nearest neighborhood rents for calculating small area FMRs in zip codes without statistically reliable rent information. The Committee encourages the Department to continue its progress to improve the calculation of FMRs for rental markets experiencing a lag in the availability of data.

The Committee remains concerned that HUD's published FMRs have not always reflected the increased need in rental subsidy and the associated operating costs. HUD does not have a reliable method for projecting actual inflation for smaller or nonmetropolitan areas of the country for which the Bureau of Labor Statistics [BLS] does not produce individual county or metropolitan area tabulations. HUD's FMR calculation is also limited by the frequency of data published on changes in gross rents through the American Community Survey [ACS]. For larger, metropolitan communities, the ACS provides annual data based on one year's sample, but for communities with populations of less than 65,000, annual tabulations are based on data collected over five years. In using the most recent validated data to determine changes in local gross rents, HUD is limited in using the most recent year of ACS data collection for that market, which could result in data from three years prior. For rapidly changing rental markets, this lag in data availability poses significant challenges for housing providers who are trying to provide HUD-assisted households with rental subsidies that are comparable to local fair market rents. As a result, some PHAs have conducted independent market surveys to more accurately reflect local market conditions for HUD's review and consideration. However, the Committee notes that rental market surveys can be costly and nonviable for PHAs that lack the expertise and capacity. This is particularly true for smaller PHAs in markets where the local fair market rents are outpacing HUD's annual determination of FMRs.

Inaccurate FMR calculations can result in significant housing search challenges for vulnerable populations, including disabled and homeless individuals, in rental markets with low vacancy rates or a lack of landlords participating in rental assistance programs. This is especially true when HUD's FMR calculation results in a decrease from the previous year. While 24 CFR 888.113 limits FMR reductions to no less than 90 percent of the previous year's FMR, the Committee questions the impact of this policy and its affect in certain rental markets. The Committee therefore strongly encourages HUD, to the extent permissible under current regulations, to set FMRs at no lower than the previous year's level for an FMR area, unless the Department has sufficient local data to justify such a change (such as BLS county or metropolitan area tabulations, annual ACS data for communities with populations over 65,000, or other comparable data points).

The Committee looks forward to the Department's analysis on HUD–VASH leasing success rates trends in areas that have requested an exception payment standard, submitted a local rent survey, or received approval to administer payments above 110 percent of the FMR.

Evictions Database.—The Committee recommendation includes funding to conduct a feasibility study on the creation of a national evictions database. The study shall examine the possibility of incorporating information on the following: the tenant, defendant, and other affected persons in the evicted household; the plaintiffs; the source of Federal rental assistance, if any; procedural and aggregate data on the court-ordered or administrative eviction case; data on executed evictions including information on a tenant's housing status following a court-ordered or administrative eviction; and individual and aggregate level data on all illegal evictions. The study shall include recommendations for statistical analysis relating to such a database, including what additional data may be considered for collection in order to understand eviction trends by race, gender, disability status, ethnicity, and age, consistent with the protected classes under the Fair Housing Act of 1968 (Public Law 90–284). The Department shall submit the feasibility study to the House and Senate Committees on Appropriations within 270 days of enactment of this act.

Worst Case Housing Needs Report.—The worst case housing needs report produced by HUD provides national data from the biennial American Housing Survey and documents the most challenging housing issues facing America's most vulnerable renter households. This report informs Congress and the public on the trends and extent of rental cost burdens, defined as paying more than one-half of a tenant's income on rent, and inadequate housing for very low-income renter households who do not receive housing assistance. The Committee looks forward to a timely publishing of the 2021 report in order to effectively respond to housing market trends.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Appropriations, 2020	$70,300,000
Budget estimate, 2021	65,300,000
Committee recommendation	70,300,000

PROGRAM DESCRIPTION

The fair housing activities appropriation includes funding for both the Fair Housing Assistance Program [FHAP] and the Fair Housing Initiatives Program [FHIP], among others.

FHAP assists State and local fair housing agencies with implementing title VIII of the Civil Rights Act of 1968 (Public Law 90–284), as amended, which prohibits discrimination in the sale, rental, and financing of housing and in the provision of brokerage services. The major objective of the program is to ensure prompt and effective processing of title VIII complaints, with appropriate remedies for complaints being provided by State and local fair housing agencies.

FHIP is authorized by section 561 of the Housing and Community Development Act of 1987 (Public Law 100–242), as amended, and by section 905 of the Housing and Community Development Act of 1992 (Public Law 102–550). This program provides support to public and private organizations for the purpose of eliminating or preventing discrimination in housing, and enhances fair housing opportunities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $70,300,000 for the Office of Fair Housing and Equal Opportunity. This amount is $5,000,000 more than the budget request and equal to the fiscal year 2020 enacted level. Of the amounts provided: (1) $23,500,000 is for the fair housing assistance program; (2) $44,950,000 is for the fair housing initiatives program, including not less than $7,850,000 for education and outreach programs and not less than $750,000 for fair housing organization initiatives; (3) $350,000 is for the creation, promotion, and dissemination of translated materials that support the assistance of persons with limited English proficiency; and (4) $1,500,000 is for the National Fair Housing Training Academy. The Committee encourages the Department to pursue ways to make the Academy self-sustaining.

Test Coordinator Training.—Testing remains one of the most effective investigative tools for the successful enforcement of fair housing laws. Those who coordinate testing investigations need specialized training from skilled, experienced professionals in this field. The Committee directs the Department to continue to operate a comprehensive program which provides ongoing training, technical assistance, and resources to test coordinators working in fair housing organizations throughout the country. The Committee supports open communication between HUD and FHIP grantees when any modifications are made to tester training NOFAs, and encourages the Department to continue issuing clear and thorough guidance upon the publication of the fiscal year 2021 NOFA, clearly outlining eligibility requirements and indicating changes from the previous NOFA so applicants can effectively plan their grant application strategy with sufficient notice before the application deadline. As HUD makes necessary modifications to improve accountability, monitoring, and oversight of Federal financial assistance, HUD is directed to include technical assistance as an eligible use of funds in the fiscal year 2021 tester training NOFA to ensure grantees can continue to effectively provide supplementary and/ or individualized training for participants. The Committee also directs the Department not to merge existing test coordinator training with other fair housing activities, including the National Fair Housing Training Academy.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

Appropriations, 2020	$290,000,000
Budget estimate, 2021	360,000,000
Committee recommendation	360,000,000

PROGRAM DESCRIPTION

Title X of the Housing and Community Development Act of 1992 (Public Law 102–550) established the Residential Lead-Based Paint Hazard Reduction Act, under which HUD is authorized to make grants to States, localities, and Native American Tribes in order to conduct lead-based paint hazard remediation and abatement activities in private, low-income housing. Lead is a significant environmental health hazard, particularly for young children and pregnant women, and exposure can result in neurological damage, learning disabilities, and impaired growth. The healthy homes initiative, which was authorized under sections 501 and 502 of the Housing and Urban Development Act of 1970 (Public Law 91–609), provides grants to remediate hazards in housing that have been scientifically shown to negatively impact occupant health and safety.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $360,000,000 for lead-based paint hazard reduction and abatement activities, of which $50,000,000 is for the healthy homes initiative. This appropriation is equal to the President's budget request and $70,000,000 more than the fiscal year 2020 enacted level.

The Committee remains committed to protecting children in communities with the highest rates of childhood lead poisoning and the oldest housing stock. Lead-based paint hazards are far more prevalent in older homes and in low-income housing in particular, where maintenance is less robust and paint surfaces are more likely to deteriorate and release lead-contaminated dust into the air. In order to target funding to those communities, the Committee directs HUD to award no less than $95,000,000 in grants to those jurisdictions with the highest lead-based paint abatement needs. The Committee notes that this set-aside is a minimum floor and encourages HUD to exceed this threshold.

Aging-in-Place Home Modification Grants.—The Committee recommendation includes $10,000,000 for aging-in-place home modification grants in order to enable low-income seniors to remain in their homes through low-cost, high-impact home modifications. The intended beneficiaries of these grants have always been low income senior homeowners, and HUD shall ensure the use of funds appropriated in this and previous fiscal years will reflect that intent. In designing the NOFA for this program, HUD is directed to continue to take into account successful models of low-barrier, participantled, holistic approaches to aging in place, including Johns Hopkins University's community aging in place—advancing better living for elders program and the community aging in place program of the Maine State Housing Authority. The Committee further directs HUD to track the outcomes of seniors whose homes have been modified in order to better understand the effectiveness of this funding in reducing at home falls, hospitalizations, and emergency response calls, as well as improving independence and tenure in home over time.

Improving the Lead Grant Application Process.—Successful remediation of lead-based paint hazards within affected communities can be challenging. Some of the challenges come from the nature of the remediation work itself, while other challenges can arise from the grant application process. This can result in smaller, and more rural, communities opting not to apply altogether. In recognizing limitations such as a lack of initial capacity to apply for a grant or an inability to meet matching requirements which may dissuade some communities from applying, HUD has undertaken efforts to simplify the application process. Through utilizing the technical assistance and NOFA improvements provided by the Department, applicants and grantees are encouraged to develop and utilize public-private partnerships as a means to leverage capital, as well as assist with grant and project management. The Committee appreciates the efforts undertaken by the Department, and directs HUD to continue to improve the NOFAs to encourage more grantees to apply, especially those that may not have access to professional grant writers. Additionally, HUD shall clearly state in the NOFA that an application may include non-profit co-applicants, provided that an eligible city, county/parish, other unit of local government, or eligible State or Native American Tribe are identified as the lead or co-applicant.

In addition to challenges faced during the grant application process, many communities have identified issues with synchronizing successive grants that allow for sustained and consistent investment in the remediation of lead-based paint hazards. The construction workforce that participates in mitigating lead-based paint hazards in housing is very specialized with costly training and certification requirements that are necessary to limit lead exposure in the surrounding community and protect employee occupational safety. Allowing communities to overlap grants will help to preserve the workforce, sustain experienced grant managers, and result in increased efficiency and production. Therefore, the Committee directs HUD to allow for an overlap in grant cycles in order to ensure continuity and improved program management at the local level. Further, HUD is directed to continue the weighting of criteria which ensures proper consideration is given to applicants that demonstrate previous successful completion of lead grants.

Weatherization Assistance Program.—Funding from HUD's lead-based paint hazard control grant program is often used to replace windows in homes that generate lead dust that is harmful to children. These homes are also often eligible for assistance under the Department of Energy's [DOE's] weatherization assistance program [WAP], which will replace those same windows with more energy efficient ones. However, even with the establishment of DOE's lead-safe weatherization program, many WAP contractors are hesitant to work in units where lead-based paint hazards may be present because of the additional time and cost involved with each project. There is a tremendous opportunity for these programs to complement one another in a manner that saves grantees money and allows for more work to be completed. The Committee supports the Office of Lead Hazard Control and Healthy Homes' [OLHCHH] continued participation in the interagency working group on healthy homes and energy. OLHCHH is encouraged to continue to coordinate with DOE and to assist WAP grantees and sub-grantees in partnering with its own grantees to perform window removal and installation work in older low-income housing. HUD is directed to collect information on how many units benefit from this coordination and how much this coordination has reduced costs for hardware and labor. HUD is directed to provide this information to the House and Senate Committees on Appropriations no later than 6 months after the end of each grant cycle on an annual basis.

The Committee supports OLHCHH's continued participation in the interagency working group on healthy homes and energy. OLHCHH is encouraged to continue to coordinate with DOE and to assist WAP grantees and sub-grantees in partnering with its own grantees to perform window removal and installation work in older low-income housing. HUD is directed to collect information on how many units benefit from this coordination and how much this coordination has reduced costs for hardware and labor. HUD is directed to provide this information to the House and Senate Committees on Appropriations no later than 6 months after the end of each grant cycle on an annual basis.

Progress on Prior Fiscal Year Directives.—For the past two fiscal years, the Committee has directed HUD to submit the following outstanding reporting requirements: operationalizing a tool that will provide data to permit the Department to better target grant awards to communities most at risk for lead-based paint hazards; issuing clarifying guidance to address noncompliance of grantees with lead-based paint regulations and to determine when enforcement actions should be pursued against grantees; and submitting annual reports mandated by 42 U.S.C. 4856. In light of this continued delay, the Department shall fulfill these overdue directives in accordance with congressional requirements within 30 days of enactment of this act.

Overdue Best Practices Report.—The Committee directs the Department to complete the overdue report required by section 312 of Public Law 115–474. This report shall include best practices for improving existing standards and policies with regard to addressing lead-based paint hazards, as well as recommendations for legislation to improve lead-based paint hazard prevention and abatement.

National Radon Action Plan Compliance.—The Committee remains frustrated with HUD's failure to complete the objectives outlined in the multi-agency Federal Radon Action Plan [FRAP] in 2011. According to the Environmental Protection Agencies' [EPA] final FRAP Scorecard issued in 2016, HUD failed to complete the following commitments assigned to the agency in regards to healthy homes activities: (1) collaborating with EPA, Department of Health and Human Services, and United States Department of

Agriculture [USDA] on an interagency radon outreach initiative; and (2) working with EPA and USDA to engage the philanthropic community to support radon risk reduction. These commitments were further enforced under a subsequent national radon action plan led by the public-private National Radon Workgroup and the American Lung Association, which aims to prevent 3,200 lung cancer deaths annually by 2020 through radon exposure reduction strategies. Within 120 days of this act, HUD is hereby directed to provide the Committee with an update on the two outstanding commitments which shall include the reasoning as to why the objectives remain incomplete and the steps the agency has outlined to complete said objectives.

INFORMATION TECHNOLOGY FUND

Appropriations, 2020	$280,000,000
Budget estimate, 2021	257,600,000
Committee recommendation	300,000,000

PROGRAM DESCRIPTION

The Information Technology Fund finances the information technology [IT] systems that support departmental programs and operations, including FHA Mortgage Insurance, housing assistance and grant programs, as well as core financial and general operations.

COMMITTEE RECOMMENDATION

The Committee recommends $300,000,000 for the Information Technology Fund for fiscal year 2021, which is $42,400,000 more than the budget request and $20,000,000 more than the fiscal year 2020 enacted level.

Federal Housing Administration Information Technology Modernization.—FHA's primary underwriting system is over 40 years old, while its monitoring system, property accounting, and vendor management systems are over 25 years old. These antiquated systems not only make it difficult and expensive for lenders to work with FHA, but more importantly, they undermine the fiscal solvency of the Mutual Mortgage Insurance Fund, creating risk to taxpayers. The Committee recommendation includes $20,000,000 to continue the modernization of FHA's IT systems and directs these funds to be used for improving single-family insured mortgage processing underwriting and delivery, modernizing the single-family asset management and claims systems, and addressing lender activities and program compliance. These funds may also be used for more immediate IT needs including improvements to FHA's system interface with the Department of Treasury's Do Not Pay System, FHA's origination systems for HUD IT security policy compliance, and the reverse mortgage system.

Office of Public and Indian Housing Information Technology Modernization.—The Committee recommendation includes $20,000,000 to make critical investments in the modernization and development of PIH IT systems. The Committee directs these funds to be used for development, modernization, and enhancement work related to the public housing information center and/or voucher management systems, the operating fund web portal, the NSPIRE demonstration, and the loan origination system for the Section 184 loan guarantee program.

Unsanctioned Information Technology Development.—The Committee remains concerned about the development of IT systems outside of the Information Technology Fund. While the Committee understands that limited resources may prompt HUD offices to develop solutions with their own resources, the Committee continues to expect the Office of the Chief Information Officer [OCIO] to monitor and oversee the development of any such applications and report to the House and Senate Committees on Appropriations the inventory of IT systems and applications both sanctioned and unsanctioned. The Committee directs the OCIO to monitor the development of new system solutions by every office in HUD to make sure they conform to HUD's enterprise architecture and are compatible with systems under development.

Improving Information Technology Modernization Management.—IT investments to enhance systems and infrastructure can help agencies deliver services more effectively and achieve cost savings and operational efficiencies. HUD has long struggled with its IT management capabilities and has reported overlapping and antiquated systems that prevent collection of accurate program data and are costly to maintain. The Committee is concerned with HUD's overall approach to IT modernization and its ability to implement modernization projects that would improve systems and operations. In a 2020 letter to the Department, GAO cited two open recommendations from 2014 that would improve HUD's management of IT investments. GAO found that HUD did not have a fully established IT investment board that could identify, analyze, and manage IT modernization projects, and that HUD had not developed a process to oversee IT investments. GAO also found that HUD had not developed a process to institutionalize and evaluate IT management controls, which are required to successfully develop enterprise architecture, project life-cycle management, and human capital planning. The Committee directs HUD to provide a report to the House and Senate Committees on Appropriations on the progress of these two GAO recommendations and HUD's current efforts to define its overall IT modernization approach within 30 days of enactment of this act. The report should also include, Departmental efforts to establish an IT investment review board, which clearly defines the process for selecting investments and the process for overseeing selected investments, the progress on establishing processes for identifying and tracking cost savings and operational efficiencies due to IT investments, and the progress on implementing and evaluating IT management controls.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2020	$138,200,000
Budget estimate, 2021	133,300,000
Committee recommendation	138,200,000

PROGRAM DESCRIPTION

The Office of Inspector General [OIG] conducts independent investigations, audits, and evaluations not only to prevent and detect fraud, waste, and abuse, but also to promote efficiency and effectiveness in the programs and operations of the Department of Housing and Urban Development. This appropriation will finance all salaries and related expenses associated with the operation of the OIG.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $138,200,000 for the OIG, which is $4,900,000 more than the budget request and equal to the fiscal year 2020 enacted level.

Audit Reports.—The Committee expects the OIG to continue providing copies of all audit reports to the Committee immediately after they are issued and to make the Committee aware immediately of any review which recommends significant budgetary savings.

Contracting Audits of Annual Financial Statements.—The Committee included a directive in the fiscal year 2020 bill for the OIG to procure and rely upon the services of an independent external auditor for all HUD financial statements, beginning in fiscal year 2020 and continuing permanently thereafter. For fiscal year 2020, OIG only procured the services of an independent external auditor for the audit of the GNMA financial statements. The Committee directs, and expects for fiscal year 2021 and subsequent years, that OIG procure and rely upon the services of an independent external auditor(s) to audit the financial statements of the Department, including the consolidated financial statement and the statements of FHA and GMNA. This action brings HUD into alignment with most cabinet-level agencies that procure services from external auditors to ensure compliance with Federal audit requirements for annual financial statements.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

The Committee recommends administrative provisions. A brief description follows.

Sec. 201. This section promotes the refinancing of certain housing bonds.

Sec. 202. This section clarifies a limitation on the use of funds under the Fair Housing Act (Public Law 90–284).

Sec. 203. This section requires HUD to award funds on a competitive basis unless otherwise provided.

Sec. 204. This section allows funds to be used to reimburse Government-Sponsored Enterprises and other Federal entities for various administrative expenses.

Sec. 205. This section limits HUD's spending to amounts set out in the budget justification.

Sec. 206. This section clarifies expenditure authority for entities subject to the Government Corporation Control Act.

Sec. 207. This section requires quarterly reports on all uncommitted, unobligated and excess funds associated with HUD programs.

Sec. 208. This section exempts GNMA from certain requirements of the Federal Credit Reform Act of 1990 (Public Law 101–508).

Sec. 209. This section allows HUD to authorize the transfer of existing project-based subsidies and liabilities from obsolete housing to housing that better meets the needs of the assisted tenants.

Sec. 210. This section reforms certain section 8 rent calculations as related to athletic scholarships.

Sec. 211. This section provides allocation requirements for Native Alaskans under the Indian Housing Block Grant program.

Sec. 212. This section requires HUD to maintain section 8 assistance on HUD-held or owned multifamily housing.

Sec. 213. This section allows PHAs with less than 400 units to be exempt from management requirements in the operating fund rule.

Sec. 214. This section restricts the Secretary from imposing any requirement or guideline relating to asset management that restricts or limits the use of capital funds for central office costs, up to the limit established in the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276).

Sec. 215. This section 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.

Sec. 216. This section requires the Secretary to publish all notices of funding availability that are competitively awarded on the Internet.

Sec. 217. This section limits attorney fees.

Sec. 218. This section 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 Offices" to any other office funded under such headings.

Sec. 219. This section requires HUD to take certain actions against owners receiving rental subsidies that do not maintain safe properties.

Sec. 220. This section places limits on PHA compensation.

Sec. 221. This section requires the Secretary to provide the Committee with advance notification before discretionary awards are made.

Sec. 222. This section prohibits funds to be used to require or enforce the Physical Needs Assessment.

Sec. 223. This section prohibits funds for HUD financing of mortgages for properties that have been subject to eminent domain.

Sec. 224. This section prohibits funds from being used to terminate the status of a unit of local government as a metropolitan city, as defined under section 102 of the Housing and Community Development Act of 1974 (Public Law 93–383), with respect to grants under section 106 of such act.

Sec. 225. This section 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.

Sec. 226. This section prohibits funds to be used for financial awards for employees subject to administrative discipline.

Sec. 227. This section allows program income to be used as an eligible match for Continuum of Care funds.

Sec. 228. This section permits HUD to provide one year transition grants under the continuum of care program.

Sec. 229. This section 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".

Sec. 230. This section specifies authorized uses of and conditions for recaptured funds under the "Homeless Assistance Grants" heading.

Sec. 231. This section maintains current Promise Zone designations and agreements.

Sec. 232. This section prohibits funds from being used to establish preference or bonus points for competitive grant programs for EnVision Center participants.

Sec. 233. This section clarifies the use of funds for the Family Self-Sufficiency program.

Sec. 234. This section addresses the establishment of reserves for public housing agencies designated as Moving to Work agencies.

Sec. 235. This section prohibits funds from being used to make certain eligibility limitations as part of a Notice of Fund Availability for competitive grant awards under the Public Housing Capital Fund.

Sec. 236. This section makes changes to the Rental Assistance Demonstration.

Sec. 237. This section specifies requirements for the reprogramming of funds.

Sec. 238. This section requires HUD to submit a report in order to establish the baseline for application of reprogramming and transfer authorities.

TITLE III

INDEPENDENT AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

Appropriations, 2020	$9,200,000
Budget estimate, 2021	9,200,000
Committee recommendation	9,200,000

PROGRAM DESCRIPTION

The Access Board, formerly known as the Architectural and Transportation Barriers Compliance Board, was established by section 502 of the Rehabilitation Act of 1973 (Public Law 93–112). The Access Board is responsible for developing guidelines under the Americans with Disabilities Act of 1990 (Public Law 101–336), the Architectural Barriers Act of 1968 (Public Law 90–480), and the Telecommunications Act of 1996 (Public Law 104–104). These guidelines ensure that buildings and facilities, transportation vehicles, and telecommunications equipment covered by these laws are readily accessible to and usable by people with disabilities. The Access Board is also responsible for developing standards for accessible electronics and information technology used by Federal agencies under section 508 of the Rehabilitation Act (Public Law 93–112) and for medical diagnostic equipment under section 510 of the Rehabilitation Act. The Access Board also enforces the Architectural Barriers Act, ensuring accessibility to a wide range of Federal agencies, including national parks, post offices, social security offices, and prisons. In addition, the Access Board provides training and technical assistance on its guidelines and standards regarding the removal of accessibility barriers to Government agencies, public and private organizations, individuals, and businesses.

The Access Board was given additional responsibilities under the Help America Vote Act of 2002 (Public Law 107–252). The Access Board now serves on the Board of Advisors and the Technical Guidelines Development Committee, which helps the Election Assistance Commission to develop voluntary guidelines and guidance for voting systems, including for accessibility for people with disabilities.

COMMITTEE RECOMMENDATION

The Committee recommends $9,200,000 for the operations of the Access Board. This level of funding is equal to the budget request and the fiscal year 2020 enacted level.

Federal Maritime Commission

SALARIES AND EXPENSES

Appropriations, 2020	$28,000,000
Budget estimate, 2021	28,900,000
Committee recommendation	31,060,000

PROGRAM DESCRIPTION

The Federal Maritime Commission [FMC] is an independent regulatory agency, which administers the Shipping Act of 1984 (Public Law 98–237), as amended by the Ocean Shipping Reform Act of 1998 (Public Law 105–258); section 19 of the Merchant Marine Act of 1920 (41 Stat. 998); the Foreign Shipping Practices Act of 1988 (Public Law 100–418); and Public Law 89–777.

FMC's mission is to foster a fair, efficient, and reliable international ocean transportation system and to protect the public from unfair and deceptive practices. To accomplish this mission, FMC regulates the international waterborne commerce of the United States. In addition, FMC has responsibility for licensing and bonding ocean transportation intermediaries and for ensuring that vessel owners or operators establish financial responsibility to pay judgments for death or injury to passengers, or nonperformance of a cruise, on voyages from United States ports.

COMMITTEE RECOMMENDATION

The Committee recommends $31,060,000 for the salaries and expenses of FMC for fiscal year 2021. This amount is $2,160,000 more than the President's fiscal year 2021 budget request $3,060,000 more than the fiscal year 2020 enacted level. Funding above the budget request shall accommodate required increases to FMC's FERS contribution and annualizations of cost of living adjustments for fiscal year 2020 in order to provide a staffing level of 128 full-time positions.

National Railroad Passenger Corporation

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriations, 2020	$24,274,000
Budget estimate, 2021	26,248,000
Committee recommendation	24,488,000

PROGRAM DESCRIPTION

The Office of Inspector General for Amtrak was created by the Inspector General Act Amendment of 1988 (Public Law 100–504). The act recognized Amtrak as a "designated Federal entity" and required the railroad to establish an independent and objective unit to conduct and supervise audits and investigations relating to the programs and operations of Amtrak; recommend policies designed to promote economy, efficiency, and effectiveness in Amtrak, and prevent and detect fraud and abuse; and to provide a means for keeping the Amtrak leadership and the Congress fully informed about problems in Amtrak operations and the corporation's progress in making corrective action.

COMMITTEE RECOMMENDATION

The Committee recommendation includes $24,488,000 for the Amtrak Office of Inspector General [OIG]. This funding level is $1,760,000 less than the budget request and $214,000 more than the fiscal year 2020 enacted level. The Committee retains language that requires the Amtrak OIG to submit a budget request in similar format and substance to those submitted by other executive agencies in the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

Appropriations, 2020	$110,400,000
Budget estimate, 2021	116,400,000
Committee recommendation	119,000,000

PROGRAM DESCRIPTION

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

In addition to its investigatory duties, NTSB is responsible for maintaining the Government's database of civil aviation accidents and also conducts special studies of transportation safety issues of national significance. Furthermore, in accordance with the provisions of international treaties, NTSB supplies investigators to serve as U.S. accredited representatives for aviation accidents overseas involving U.S.-registered aircraft, or involving aircraft or major components of U.S. manufacture. NTSB also serves as the "court of appeals" for any airman, mechanic, or mariner whenever certificate action is taken by the FAA or the U.S. Coast Guard Commandant, or when civil penalties are assessed by the FAA.

COMMITTEE RECOMMENDATION

The Committee recommends $119,000,000 for the National Transportation Safety Board, which is $2,600,000 more than the budget request and $8,600,000 more than the fiscal year 2021 enacted level. The Committee has also continued to include language that allows NTSB to make payments on its lease for the NTSB training facility with funding provided in the bill.

Recommendations to the Department of Transportation.—The Committee appreciates the NTSB's "most wanted list" of safety recommendations for DOT and directs the NTSB to continue to provide the compliance report required under section 1135(e) of title 49, United States Code.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriations, 2020	$158,500,000
Budget estimate, 2021	27,400,000
Committee recommendation	158,500,000

PROGRAM DESCRIPTION

The Neighborhood Reinvestment Corporation was created by the Neighborhood Reinvestment Corporation Act (Title VI of the Housing and Community Development Amendments of 1978, Public Law 95–557). The Neighborhood Reinvestment Corporation, operating under the trade name "NeighborWorks America," helps local communities to establish efficient, effective partnerships between residents and representatives of the public and private sectors. These partnership-based organizations are independent, tax-exempt, nonprofit entities, collectively known as the "NeighborWorks Network." Nearly 250 NeighborWorks organizations serve almost 3,000 urban, suburban, and rural communities in every State, the District of Columbia, and Puerto Rico.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $156,500,000 for NeighborWorks America. The Committee also includes an additional $2,000,000 for the promotion and development of shared equity housing models. This total amount is $131,100,000 more than the budget request and equal to the fiscal year 2020 enacted level. The Committee continues to support the set-aside of $5,000,000 for the multifamily rental housing initiative, which has been successful in developing innovative approaches to producing mixed-income affordable housing throughout the Nation. The Committee directs NeighborWorks to provide at least three days' advance notice to the House and Senate Committees on Appropriations prior to the announcement of any grant exceeding $50,000 that is awarded to a NeighborWorks Network organization.

Rural Areas.—The Committee commends NeighborWorks' efforts to build capacity in rural areas and urges NeighborWorks to continue those initiatives.

Multilingual Training Courses.—The Committee directs NeighborWorks to continue in the surveying of the NeighborWorks Network to determine whether there is sufficient need for additional professional development and certification training courses for non-profit community development staff to be offered in additional languages. NeighborWorks is encouraged to develop new courses, including translated materials, to meet those needs.

Shared Equity Homeownership.—The Committee recommendation includes $2,000,000 for the promotion and development of shared equity housing portfolios among its affiliates. NeighborWorks is directed to invest $1,000,000 in technical assistance and $1,000,000 in two $500,000 capital grants for affiliates to bring new homes into their existing shared equity portfolios. When awarding capital grants, the committee encourages NeighborWorks to invest in at least one recipient that serves a rural area or a city of under 50,000 that has demonstrated success in managing a shared equity portfolio. NeighborWorks is directed to work with affiliated organizations with extensive experience in offering shared equity homeownership opportunities as technical assistance providers.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

	Appropriation	Crediting offsetting collections
Appropriations, 2020	$37,100,000	$1,250,000
Budget estimate, 2021	37,500,000	1,250,000
Committee recommendation	37,500,000	1,250,000

PROGRAM DESCRIPTION

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

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

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $37,500,000. This funding level is equal to the budget request and $400,000 more than the fiscal year 2020 enacted level. Included in the recommendation is $1,250,000 in fees, which will offset the appropriated funding, resulting in final appropriation from the general fund estimated at no more than $36,250,000.

Regulatory Proceedings.—There remain a number of pending regulatory proceedings that would reform existing regulations at the STB. The Committee continues to encourage the STB to provide a timely and decisive regulatory process and encourages the administration to nominate the full complement of board members to the STB as soon as possible.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

Appropriations, 2020	$3,800,000
Budget estimate, 2021	3,800,000
Committee recommendation	3,800,000

PROGRAM DESCRIPTION

The United States Interagency Council on Homelessness [USICH] is an independent agency created by the McKinney-Vento Homeless Assistance Act of 1987 (Public Law 100–77) to coordinate and direct the multiple efforts of Federal agencies and other designated groups. USICH was authorized to review Federal programs that assist homeless persons and to take necessary actions to reduce duplication. USICH can recommend improvements in programs and activities conducted by Federal, State, and local governments, as well as local volunteer organizations. USICH consists of the heads of 19 Federal agencies, including the Departments of Housing and Urban Development [HUD], Health and Human Services, Veterans Affairs [VA], Agriculture, Commerce, Defense [DoD], Education, Labor [DOL], Transportation, and other entities as deemed appropriate.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $3,800,000 for USICH. This amount is equal to the budget request and the fiscal year 2020 enacted level. Of the funds provided, no more than $114,000 shall be used for travel and transportation of persons. The Committee reminds USICH of its obligations pursuant to Section 405 of this act, including the need to receive Committee approval prior to any reorganization.

Supporting Transitioning Service Members.—In the fiscal year 2017, the Committee directed USICH to collaborate with DoD and VA on how the veteran transition process can be improved to minimize the risk of homelessness among service members transitioning into civilian life. In response, USICH released a report to Congress in March of 2018 with methods, strategies, and directives to prevent transitioning service members from experiencing homelessness. As part of the interagency collaborative effort, DoD was tasked to ensure transitioning service members are effectively referred to employment and housing services, a process referred to as a "warm handover". Service members are discharged with the assistance from DoD support staff and referred to VA and DOL liaisons for a seamless transition into civilian life. To evaluate the impact of these programmatic changes, specific data points are necessary to determine the outcomes of this transition initiative as directed in the 2018 USICH report and the fiscal year 2020 bill. The Committee applauds USICH's collaborative efforts in forming an interagency working group in response to these directives, and encourages the agency to continue to coordinate with DoD and other Federal partners in generating the necessary data to ensure an effective "warm handover" process for this population.

Technical Assistance in Providing Transitional Housing for Survivors of Domestic Violence.—Survivors fleeing domestic violence have a significant risk of homelessness. Providing safe and stable housing requires specialized training for Continuums of Care [CoC] due to the traumatic and high-risk situations survivors face. The Committee supports USICH and their efforts in providing data, technical assistance, and best practices for CoCs administering housing services through their partnership with the Domestic Violence and Housing Technical Assistance Consortium. In working with local entities, USICH can be a resource for advocates and service providers, and help ensure that the safety and stability of domestic violence survivors remain a high priority during the CoC intake process. The Committee directs USICH to continue collaborating with affected stakeholders to improve the intake methodology and practices for at-risk populations by providing necessary technical assistance that CoCs can efficiently implement.

Assistance for Survivors Fleeing Domestic Violence.—Section 41411 of the Violence Against Women Act [VAWA] of 2013 (Public Law 113–4) directed the Secretary of HUD to establish policies and procedures for which a VAWA victim seeking an emergency transfer may receive a tenant protection voucher [TPV]. In fiscal year 2020, to ensure implementation of this requirement, the Committee directed HUD to consult with PHAs, other covered housing providers, and advocates on how TPVs can be administered to HUD-assisted tenants seeking emergency transfers under VAWA, including how HUD can operationalize the use of TPVs for this purpose. Through its work with local and national partners, HUD has made some progress within the Office of Public and Indian Housing, yet broader coordination is required within HUD and at the Federal level to address the need for cross-program and -agency coordination in providing emergency housing assistance under VAWA.

The Committee believes USICH is poised as a unique collaborator between advocates and other Federal agencies to ensure any changes or reforms to the current emergency transfer process for survivors fleeing domestic violence are designed and implemented in a coordinated and effective manner. As such, USICH is directed to work with HUD, including but not limited to the Office of Public and Indian Housing and Special Needs Assistance Program within the Office of Community Planning and Development, to determine what reforms to the emergency transfer and voucher implementation processes are necessary, and shall also consult with other Federal partners, the advocacy community, and other relevant stakeholders to continue research in this effort. In executing this directive, USICH shall seek input from PHAs to ensure any new voucher models or changes to existing voucher models take into consideration PHA capacity and the availability of housing stock within a PHA's jurisdiction. In developing recommendations for modifications or reforms to the voucher administration process, USICH shall also consider the existing constraints within some communities which are unable to assist survivors with relocation to safe housing in a reasonable time period. The Committee further directs USICH to submit a report to the House and Senate Committees on Appropriations within 180 days of this act updating the Committees on the status of this work. This report shall identify the voucher models being considered in consultation with HUD and other Federal partners, include input from other stakeholders and advocates, and discuss how the implementation of these voucher models will ensure the needs of PHAs, service providers, and survivors are met.

Interagency Coordination Tool.—The Committee understands USICH is collaborating with its Council member agencies in developing a mobile application tool that can be downloaded by service providers and individuals seeking services to improve access to assistance for persons experiencing homelessness. This tool will help communities, nonprofit organizations, and individuals with the identification of all Federal, State, and local resources, as well as streamlining appropriate mechanisms of care depending on an individual or family's needs and eligibilities. The Committee directs USICH to ensure that the tool undergoes external stakeholder engagement to ensure the compilation of all appropriate data in a user-friendly format. The Committee directs USICH to provide an interim report within 60 days of enactment providing an update on the feedback gained from stakeholder engagement, revisions made due to community feedback, and the next steps USICH is taking in developing and testing the application tool. USICH shall keep the Committee informed of any delays that may arise during the development process.

Federal Strategic Plan on Homelessness.—The Committee notes with disappointment USICH's recent publication of the new strategic plan, "Expanding the Toolbox: The Whole-of-Government Response to Homelessness." The document seeks to serve two purposes: first, to identify a perceived flaw of the current Federal framework for addressing homelessness; and second, to map a path forward for the coming years. Unfortunately, this document is a missed opportunity on both counts.

As an attempted critique of the current framework, the document approaches the Federal response to homelessness in broad brushstrokes designed to reach a preconceived policy position. The assertions put forth are flawed, lack supporting analysis, and present the housing first model in a way that is sufficiently distorted so as to be unrecognizable to the Committee. Having conflated "housing first" into "housing only," the second half of the document attempts to identify eight "solutions." However, the solutions put forth are not an expansion of the toolbox, but rather the apparent discovery by USICH of current Federal policy and banal objectives that are reflective of ongoing initiatives to improve the Federal response to homelessness. As a strategic plan, "Expanding the Toolbox" in no way breaks new ground on responding to homelessness. The strategic plan also fails to produce a better understanding of current Federal programs and responses, or a path to "strategic actions" and "desired outcomes". The Committee encourages USICH to continue to work with its partners to develop a plan that utilizes humane strategies and effective data-driven interventions to reduce homelessness in America.

Implementation of Best Practices.—To prevent USICH from misusing Federal funds through sharing inaccurate or misleading data with Federal partners, community practitioners, and other stakeholders, the Committee directs USICH to ensure best practices and evidence-based conclusions are central to any technical assistance and recommendations released by the agency.

TITLE IV

GENERAL PROVISIONS—THIS ACT

Section 401 prohibits pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this act.

Section 402 prohibits obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 403 limits expenditures for consulting services through procurement contracts where such expenditures are a matter of public record and available for public inspection.

Section 404 prohibits the use of funds for employee training unless such training bears directly upon the performance of official duties.

Section 405 authorizes the reprogramming of funds within a budget account and specifies the reprogramming procedures for agencies funded by this act.

Section 406 ensures that 50 percent of unobligated balances may remain available for certain purposes.

Section 407 prohibits the use of funds for eminent domain unless such taking is employed for public use.

Section 408 prohibits funds in this act to be transferred without express authority.

Section 409 protects employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces.

Section 410 prohibits the use of funds for activities not in compliance with the Buy American Act.

Section 411 prohibits funding for any person or entity convicted of violating the Buy American Act.

Section 412 prohibits funds for first-class airline accommodation in contravention of section 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 and specifies that nothing in this section shall prohibit, restrict, or preclude the Secretary of DOT from granting a permit or exemption where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Treaty and the U.S. law.

Section 414 restricts the number of employees that agencies funded in this act may send to international conferences.

Section 415 prohibits the Surface Transportation Board from charging filing fees for rate or practice complaints that are greater than the fees authorized for district court civil suits.

Section 416 prohibits funds from being used to maintain or establish computer networks unless such networks block the viewing, downloading, or exchange of pornography.

Section 417 prohibits funds from denying 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.

Section 418 prohibits funds from being used to pay awards or fees for contractors with poor performance.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI, OF THE STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports on general appropriations bills identify each Committee amendment to the House bill "which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session."

The Committee is filing an original bill, which is not covered under this rule, but reports this information in the spirit of full disclosure.

The Committee recommends funding for the following programs or activities which currently lack authorization for fiscal year 2021:

TITLE I—DEPARTMENT OF TRANSPORTATION

National Infrastructure Investments
Washington Metropolitan Area Transit Authority
Pipeline and Hazardous Materials Safety Administration
Maritime Administration

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Rental Assistance Programs
Indian Housing Block Grants
Indian Housing Loan Guarantee Fund
Native Hawaiian Housing Block Grant
Housing Opportunities for Persons with AIDS
Community Development Fund
Community Development Loan Guarantee
Home Investment Partnerships Program
Choice Neighborhoods Initiatives
Self-Help Homeownership Opportunity Program
Homeless Assistance
Housing for the Elderly
Housing for Persons with Disabilities
FHA General and Special Risk Program Account
GNMA Mortgage Backed Securities Loan Guarantee Program Account
Policy Development and Research
Fair Housing Activities, Fair Housing Program
Lead Hazard Reduction Program
Salaries and Expenses

TITLE III—RELATED AGENCIES

Access Board
Federal Maritime Commission
Neighborhood Reinvestment Corporation

Surface Transportation Board

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on ———————, 2020, the Committee ordered favorably reported a bill (S. 0000) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2021, and for other purposes, provided, that the bill be subject to amendment and that the bill be consistent with its budget allocation, and provided that the Chairman of the Committee or his designee be authorized to offer the substance of the original bill as a Committee amendment in the nature of a substitute to the House companion measure, by a recorded vote of 00–00, a quorum being present. The vote was as follows:

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include "(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee."

The Committee bill as recommended contains no such provisions.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2020 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2021

[In thousands of dollars]

Item	2020 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2020 appropriation	Budget estimate
TITLE I—DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	115,490	127,374	122,274	+6,784	−5,100
Immediate Office of the Secretary	(3,100)		(3,346)	(+246)	(+3,346)
Immediate Office of the Deputy Secretary	(1,000)		(1,115)	(+115)	(+1,115)
Office of the General Counsel	(21,000)		(22,200)	(+1,200)	(+22,200)
Office of the Under Secretary of Transportation for Policy	(10,500)		(11,064)	(+564)	(+11,064)
Office of the Assistant Secretary for Budget and Programs	(15,000)		(16,376)	(+1,376)	(+16,376)
Office of the Assistant Secretary for Governmental Affairs	(2,650)		(2,894)	(+244)	(+2,894)
Office of the Assistant Secretary for Administration	(29,244)		(30,090)	(+846)	(+30,090)
Office of Public Affairs	(2,142)		(2,432)	(+290)	(+2,432)
Office of the Executive Secretariat	(1,859)		(2,008)	(+149)	(+2,008)
Office of Intelligence, Security, and Emergency Response	(12,181)		(13,256)	(+1,075)	(+13,256)
Office of the Chief Information Officer	(16,814)		(17,493)	(+679)	(+17,493)
Research and Technology	21,000	11,033	18,000	−3,000	+6,967
National Infrastructure Investments	1,000,000	1,000,000	1,000,000		
National Surface Transportation and Innovative Finance Bureau	5,000	4,250	4,250	−750	
Federal-Aid Highways:					
TIFIA (Limitation on obligations)		(311,000)			(−311,000)
Nationally Significant Freight Projects		1,000,000			−1,000,000
Financial Management Capital	2,000	2,000	2,000		
Cyber Security Initiatives	15,000	22,000	22,000	+7,000	
Office of Civil Rights	9,470	9,600	9,600	+130	
Transportation Planning, Research, and Development	10,879	9,350	9,350	−1,529	
Working Capital Fund	(319,793)		(319,793)		(+319,793)
Small and Disadvantaged Business Utilizaton and Outreach	4,646	4,714	4,714	+68	
Payments to Air Carriers (Airport & Airway Trust Fund)	162,000	141,724	141,724	−20,276	
Transportation Demonstration Program			100,000	+100,000	+100,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2020 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2021—Continued

[In thousands of dollars]

Item	2020 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2020 appropriation	Budget estimate
Total, Office of the Secretary	1,345,485	2,332,045	1,433,912	+88,427	−898,133
Federal Aviation Administration					
Operations	10,630,000	11,001,500	11,001,500	+371,500	
Aviation safety	(1,404,096)	(1,474,039)	(1,479,039)	(+74,943)	(+5,000)
Air traffic organization	(7,970,734)	(8,210,821)	(8,205,821)	(+235,087)	(−5,000)
Commercial space transportation	(26,040)	(27,555)	(27,555)	(+1,515)	
Finance and management	(800,646)	(836,141)	(836,141)	(+35,495)	
NextGen	(61,538)	(62,862)	(62,862)	(+1,324)	
Security and hazardous materials safety	(118,642)	(124,928)	(124,928)	(+6,286)	
Staff offices	(248,304)	(265,154)	(265,154)	(+16,850)	
Facilities and Equipment (Airport & Airway Trust Fund)	3,045,000	3,000,000	3,011,980	−33,020	+11,980
Research, Engineering, Development (Airport & Airway Trust Fund)	192,665	170,000	190,097	−2,568	+20,097
Grants-in-Aid for Airports (Airport and Airway Trust Fund) (Liquidation of contract authorization)	(3,000,000)	(3,350,000)	(3,350,000)	(+350,000)	
(Limitation on obligations)	(3,350,000)	(3,350,000)	(3,350,000)		
Administration	(116,500)	(119,402)	(119,402)	(+2,902)	
Airport cooperative research program	(15,000)	(15,000)	(15,000)		
Airport technology research	(39,224)	(40,666)	(40,666)	(+1,442)	
Small community air service development program	(10,000)		(10,000)		(+10,000)
Grants-in-Aid for Airports (General Fund)	400,000		400,000		+400,000
Total, Federal Aviation Administration	14,267,665	14,171,500	14,603,577	+335,912	+432,077
Limitations on obligations	(3,350,000)	(3,350,000)	(3,350,000)		
Total budgetary resources	(17,617,665)	(17,521,500)	(17,953,577)	(+335,912)	(+432,077)
Federal Highway Administration					
Limitation on Administrative Expenses	(456,798)	(478,897)	(478,897)	(+22,099)	
Federal-Aid Highways (Highway Trust Fund):					
(Limitation on obligations)	(46,365,092)	(49,982,000)	(46,365,092)		(−3,616,908)
(Liquidation of contract authorization)	(47,104,092)	(50,721,000)	(47,104,092)		(−3,616,908)

(Exempt contract authority)	(739,000)	(739,000)	(739,000)	....	....
Highway Infrastructure Programs (General Fund)	2,166,140	....	2,365,000	+198,860	+2,365,000
Appalachian development highway system (rescission)	....	−11,960	....	....	+11,960
Miscellaneous highway trust funds (rescission)	....	−43,581	....	....	+43,581
Miscellaneous Appropriations (rescission)	....	−81,663	....	....	+81,663
Total, Federal Highway Administration	2,166,140	−137,204	2,365,000	+198,860	+2,502,204
Limitations on obligations	(46,365,092)	(49,982,000)	(46,365,092)	....	(−3,616,908)
Exempt contract authority	(739,000)	(739,000)	(739,000)	....	....
Total budgetary resources	(49,270,232)	(50,583,796)	(49,469,092)	(+198,860)	(−1,114,704)
Federal Motor Carrier Safety Administration					
Motor Carrier Safety Operations and Programs (Highway Trust Fund) (Liquidation of contract authorization)	(288,000)	(299,000)	(300,896)	(+12,896)	(+1,896)
(Limitation on obligations)	(288,000)	(299,000)	(300,896)	(+12,896)	(+1,896)
Motor Carrier Safety Grants (Highway Trust Fund) (Liquidation of contract authorization)	(391,136)	(403,000)	(391,136)	....	(−11,864)
(Limitation on obligations)	(391,136)	(403,000)	(391,136)	....	(−11,864)
Total, Federal Motor Carrier Safety Administration	....	....	....	....	....
Limitations on obligations	(679,136)	(702,000)	(692,032)	(+12,896)	(−9,968)
Total budgetary resources	(679,136)	(702,000)	(692,032)	(+12,896)	(−9,968)
National Highway Traffic Safety Administration					
Operations and Research (general fund)	194,000	156,100	194,167	+167	+38,067
Operations and Research (Highway Trust Fund) (Liquidation of contract authorization)	(155,300)	(161,200)	(155,300)	....	(−5,900)
(Limitation on obligations)	(155,300)	(161,200)	(155,300)	....	(−5,900)
Subtotal, Operations and Research	349,300	317,300	349,467	+167	+32,167
Highway Traffic Safety Grants (Highway Trust Fund) (Liquidation of contract authorization)	(623,017)	(647,200)	(623,017)	....	(−24,183)
(Limitation on obligations)	(623,017)	(647,200)	(623,017)	....	(−24,183)
Highway safety programs (23 U.S.C. 402)	(279,800)	....	(279,800)	....	(+279,800)
National priority safety programs (23 U.S.C. 405)	(285,900)	....	(285,900)	....	(+285,900)
High visibility enforcement	(30,500)	....	(30,500)	....	(+30,500)
Administrative expenses	(26,817)	....	(26,817)	....	(+26,817)
Administrative Provision					
Impaired Driving/Rail-Grade funding (Sec. 142) (General Fund)	17,000	....	....	−17,000	....
Total, National Highway Traffic Safety Administration	211,000	156,100	194,167	−16,833	+38,067

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2020 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2021—Continued

[In thousands of dollars]

Item	2020 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2020 appropriation	Budget estimate
Limitations on obligations	(778,317)	(808,400)	(778,317)		(−30,083)
Total budgetary resources	(989,317)	(964,500)	(972,484)	(−16,833)	(+7,984)
Federal Railroad Administration					
Safety and Operations	224,198	225,634	233,675	+9,477	+8,041
Railroad Research and Development	40,600	41,000	41,000	+400	
Subtotal	264,798	266,634	274,675	+9,877	+8,041
National Network Transformation Grants		550,000			−550,000
Federal-State Partnership for State of Good Repair	200,000		225,000	+25,000	+225,000
Consolidated Rail Infrastructure and Safety Improvements	325,000	330,000	340,000	+15,000	+10,000
Magnetic Levitation Technology Development Program	2,000			−2,000	
Restoration and Enhancement	2,000		2,708	+708	+2,708
Subtotal	529,000	330,000	567,708	+38,708	+237,708
National Railroad Passenger Corporation:					
Northeast Corridor Grants	700,000	325,466	680,000	−20,000	+354,534
National Network Grants	1,300,000	611,000	1,320,000	+20,000	+709,000
Subtotal	2,000,000	936,466	2,000,000		+1,063,534
Administrative Provisions					
Capital and Debt Service Grants to the National Railroad Passenger Corporation (rescission) (Sec. 154)		−10,414			+10,414
Capital Assistance to States—Intercity Passenger Rail Service (rescission) (Sec. 154)		−9,868			+9,868
Railroad Safety Technology Program (rescission) (Sec. 154)		−613			+613
Rail Line Relocation and Improvement Program (rescission) (Sec. 154)		−12,650			+12,650
Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service (rescission) (Sec. 152)		−55,364			+55,364
Next Generation High-Speed Rail (rescission) (Sec. 154)		−3,019			+3,019

Total, Federal Railroad Administration	2,793,798	1,991,172	2,842,383	+48,585	+851,211
Federal Transit Administration					
Administrative Expenses	117,000	121,052	121,052	+4,052	....
Transit Formula Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization)	(10,800,000)	(11,696,000)	(10,800,000)	....	(−896,000)
(Limitation on obligations)	(10,150,348)	(11,046,000)	(10,150,348)	....	(−895,652)
Transit Infrastructure Grants	510,000	....	701,713	+191,713	+701,713
Transit Research	....	8,000	....	....	−8,000
Technical Assistance and Training	5,000	....	5,000	....	+5,000
Capital Investment Grants	1,978,000	1,888,690	1,888,690	−89,310	....
Grants to the Washington Metropolitan Area Transit Authority	150,000	150,000	150,000	....	....
Administrative Provisions					
Formula Grants (rescission) (Sec. 168)	....	−1,607	....	....	+1,607
Job Access and Reverse Commute Program (rescission) (Sec. 169)	....	−320	....	....	+320
Research, Training, and Human Resources (rescission) (Sec. 169a)	....	−32	....	....	+32
Total, Federal Transit Administration	2,760,000	2,165,783	2,866,455	+106,455	+700,672
Limitations on obligations	(10,150,348)	(11,046,000)	(10,150,348)	....	(−895,652)
Total budgetary resources	(12,910,348)	(13,211,783)	(13,016,803)	(+106,455)	(−194,980)
Saint Lawrence Seaway Development Corporation					
Operations and Maintenance (Harbor Maintenance Trust Fund)	38,000	30,700	30,700	−7,300	....
Maritime Administration					
Maritime Security Program	300,000	314,008	304,000	+4,000	−10,008
Rescission (legislative proposal)	....	−20,554	....	....	+20,554
Cable Security Fleet Program	....	....	10,000	+10,000	+10,000
Operations and Training	152,589	137,797	152,589	....	+14,792
State Maritime Academy Operations	342,280	337,700	432,700	+90,420	+95,000
Assistance to Small Shipyards	20,000	....	20,000	....	+20,000
Ship Disposal	5,000	4,200	4,200	−800	....
Rescission (legislative proposal)	....	−6,803	....	....	+6,803
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses and guarantees	3,000	....	3,000	....	+3,000
Rescission (legislative proposal)	....	−27,900	....	....	+27,900
Port Infrastructure Development Program	225,000	....	200,000	−25,000	+200,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2020 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2021—Continued

[In thousands of dollars]

Item	2020 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2020 appropriation	Budget estimate
Total, Maritime Administration	1,047,869	738,448	1,126,489	+78,620	+388,041
Pipeline and Hazardous Materials Safety Administration					
Operational Expenses:					
General Fund	24,215	24,215	26,715	+2,500	+2,500
Hazardous Materials Safety:					
General Fund	61,000	60,700	63,000	+2,000	+2,300
Pipeline Safety:					
Oil Spill Liability Trust Fund	23,000	22,000	23,000	....	+1,000
Pipeline Safety Fund	137,000	131,000	137,000	....	+6,000
Underground Natural Gas Storage Facility Safety Account	8,000	10,000	8,000	....	−2,000
Subtotal	168,000	163,000	168,000	....	+5,000
Emergency Preparedness Grants:					
Limitation on emergency preparedness fund	(28,318)	(28,318)	(28,318)	....	....
Total, Pipeline and Hazardous Materials Safety Administration	253,215	247,915	257,715	+4,500	+9,800
Limitations on obligations	(28,318)	(28,318)	(28,318)	....	....
Total budgetary resources	(281,533)	(276,233)	(286,033)	(+4,500)	(+9,800)
Pipeline safety fund user fees	−137,000	−131,000	−137,000	....	−6,000
Underground natural gas storage facility safety account user fees	−8,000	−10,000	−8,000	....	+2,000
Office of Inspector General					
Salaries and Expenses	94,600	98,150	98,150	+3,550	....
Total, title I, Department of Transportation	24,832,772	21,653,609	25,673,548	+840,776	+4,019,939
Appropriations	(24,832,772)	(21,939,957)	(25,673,548)	(+840,776)	(+3,733,591)
Rescissions	....	(−286,348)	....	....	(+286,348)

Limitations on obligations	(61,322,893)	(66,199,400)	(61,335,789)	(+12,896)	(−4,863,611)
Total budgetary resources	(86,155,665)	(87,853,009)	(87,009,337)	(+853,672)	(−843,672)
TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive Offices	14,217	17,659	17,292	+3,075	−367
Administrative Support Offices	563,378	578,913	576,689	+13,311	−2,224
Program Offices:					
Public and Indian Housing	227,000	236,439	243,056	+16,056	+6,617
Community Planning and Development	124,000	129,503	131,107	+7,107	+1,604
Housing	384,000	411,878	404,194	+20,194	−7,684
Policy Development and Research	28,000	35,443	36,250	+8,250	+807
Fair Housing and Equal Opportunity	75,000	77,024	79,763	+4,763	+2,739
Office of Lead Hazard Control and Healthy Homes	9,000	9,862	9,803	+803	−59
Subtotal	847,000	900,149	904,173	+57,173	+4,024
Total, Management and Administration	1,424,595	1,496,721	1,498,154	+73,559	+1,433
Public and Indian Housing					
Tenant-based Rental Assistance:					
Renewals	21,502,000	16,958,000	22,891,000	+1,389,000	+5,933,000
Tenant protection vouchers	75,000	100,000	100,000	+25,000	
Administrative fees	1,977,000	1,465,000	2,160,000	+183,000	+695,000
Sec. 811 vouchers, incremental and renewals	229,050	310,000	300,000	+70,950	−10,000
Incremental VASH vouchers	40,000		40,000		+40,000
Tribal veterans affairs supportive housing renewals	1,000			−1,000	
Incremental family unification vouchers	25,000		25,000		+25,000
Mobility Demonstration	25,000			−25,000	
Subtotal (available this fiscal year)	23,874,050	18,833,000	25,516,000	+1,641,950	+6,683,000
Advance appropriations	4,000,000	4,000,000	4,000,000		
Less appropriations from prior year advances	−4,000,000	−4,000,000	−4,000,000		
Total, Tenant-based Rental Assistance appropriated in this bill	23,874,050	18,833,000	25,516,000	+1,641,950	+6,683,000
Rental Assistance Demonstration		100,000			−100,000
Public Housing Capital Fund	2,869,894			−2,869,894	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2020 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2021—Continued

[In thousands of dollars]

Item	2020 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2020 appropriation	Budget estimate
Public Housing Operating Fund	4,549,000			−4,549,000	
Public Housing Fund		3,572,000	7,440,000	+7,440,000	+3,868,000
Moving To Work (legislative proposal):					
Renewals		4,172,900			−4,172,900
Administrative fees		340,400			−340,400
Payments to PHAs		672,000			−672,000
Total, Moving To Work Demonstration		5,185,300			−5,185,300
Choice Neighborhoods	175,000		100,000	−75,000	+100,000
Self-Sufficiency Programs	130,000	190,000	155,000	+25,000	−35,000
Family Self-Sufficiency	(80,000)	(90,000)	(105,000)	(+25,000)	(+15,000)
ROSS	(35,000)		(35,000)		(+35,000)
Jobs Plus	(15,000)	(100,000)	(15,000)		(−85,000)
Native American Programs	825,000	600,000	825,000		+225,000
Native American Housing Block Grants, Formula	(646,000)	(600,000)	(647,000)	(+1,000)	(+47,000)
Title VI Loan Program	(2,000)		(1,000)	(−1,000)	(+1,000)
(Limitation on guaranteed loans)		(30,000)	(45,649)	(+45,649)	(+15,649)
Native American Housing Block Grants, Competitive	(100,000)		(100,000)		(+100,000)
Indian CDBG	(70,000)		(70,000)		(+70,000)
Training and Technical Assistance	(7,000)		(7,000)		(+7,000)
Indian Housing Loan Guarantee Fund Program Account	1,600	2,000	2,000	+400	
(Limitation on guaranteed loans)	(1,000,000)	(1,000,000)	(1,000,000)		
Native Hawaiian Housing Block Grant	2,000		2,000		+2,000
Total, Public and Indian Housing	32,426,544	28,482,300	34,040,000	+1,613,456	+5,557,700
Community Planning and Development					
Housing Opportunities for Persons with AIDS	410,000	330,000	410,000		+80,000
Community Development Fund:					
CDBG formula	3,400,000		3,425,000	+25,000	+3,425,000

SUPPORT for Patients and Communities	25,000	....	30,000	+5,000	+30,000
Subtotal	3,425,000	....	3,455,000	+30,000	+3,455,000
Community Development Loan Guarantees (Section 108):					
(Limitation on guaranteed loans)	(300,000)	....	(300,000)	....	(+300,000)
HOME Investment Partnerships Program	1,350,000	....	1,375,000	+25,000	+1,375,000
Self-help and Assisted Homeownership Opportunity Program	55,000	....	60,000	+5,000	+60,000
Homeless Assistance Grants	2,777,000	2,773,000	2,951,000	+174,000	+178,000
Total, Community Planning and Development	8,017,000	3,103,000	8,251,000	+234,000	+5,148,000
Housing Programs					
Project-based Rental Assistance:					
Renewals	12,225,000	12,292,000	13,053,000	+828,000	+761,000
Contract administrators	345,000	350,000	350,000	+5,000	....
Subtotal (available this fiscal year)	12,570,000	12,642,000	13,403,000	+833,000	+761,000
Advance appropriations	400,000	400,000	400,000	....	....
Less appropriations from prior year advances	−400,000	−400,000	−400,000	....	....
Total, Project–based Rental Assistance appropriated in this bill	12,570,000	12,642,000	13,403,000	+833,000	+761,000
Housing for the Elderly	793,000	853,000	853,000	+60,000	....
Housing for Persons with Disabilities	202,000	252,000	237,000	+35,000	−15,000
Housing Counseling Assistance	53,000	45,000	53,000	....	+8,000
Rental Housing Assistance	3,000	....	....	−3,000	....
Payment to Manufactured Housing Fees Trust Fund	13,000	14,000	14,000	+1,000	....
Offsetting collections	−13,000	−14,000	−14,000	−1,000	....
Total, Housing Programs	13,621,000	13,792,000	14,546,000	+925,000	+754,000
Federal Housing Administration					
Mutual Mortgage Insurance Program Account:					
(Limitation on guaranteed loans)	(400,000,000)	(400,000,000)	(400,000,000)	....	....
(Limitation on direct loans)	(1,000)	(1,000)	(1,000)	....	....
Offsetting receipts	−5,649,000	−8,541,000	−8,541,000	−2,892,000	....
Proposed offsetting receipts (HECM)	....	−223,000	−223,000	−223,000	....
Administrative contract expenses	130,000	130,000	130,000	....	....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2020 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2021—Continued

[In thousands of dollars]

Item	2020 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2020 appropriation	Budget estimate
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	−602,000	−480,000	−480,000	+122,000	....
Total, Federal Housing Administration	−6,121,000	−9,114,000	−9,114,000	−2,993,000	....
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	30,500	31,479	33,500	+3,000	+2,021
Offsetting receipts	−132,000	−129,000	−129,000	+3,000	....
Offsetting receipts	−1,050,000	−1,288,000	−1,288,000	−238,000	....
Proposed offsetting receipts (HECM)	....	−22,000	−22,000	−22,000	....
Additional contract expenses	1,000	....	....	−1,000	....
Total, Gov't National Mortgage Association	−1,150,500	−1,407,521	−1,405,500	−255,000	+2,021
Policy Development and Research					
Research and Technology	98,000	94,650	98,000	....	+3,350
Fair Housing and Equal Opportunity					
Fair Housing Activities	70,300	65,300	70,300	....	+5,000
Office of Lead Hazard Control and Healthy Homes					
Lead Hazard Reduction	290,000	360,000	360,000	+70,000	....
Information Technology Fund	280,000	257,600	300,000	+20,000	+42,400
Office of Inspector General	138,200	133,300	138,200	....	+4,900

General Provisions—Department of Housing and Urban Development					
Sec. 237 unobligated balances (rescission of emergency funds)	−7,000	....	....	+7,000	....
Native Hawaiian Housing Loan Guarantee Fund Program Account (rescission) (Sec. 228)	....	−2,000	....	....	+2,000
Total, title II, Department of Housing and Urban Development	49,087,139	37,261,350	48,782,154	−304,985	+11,520,804
Appropriations	(52,140,139)	(43,560,350)	(55,079,154)	(+2,939,015)	(+11,518,804)
Rescissions	....	(−2,000)	....	....	(+2,000)
Advance appropriations	(4,400,000)	(4,400,000)	(4,400,000)	....	....
Rescission of emergency appropriations	(−7,000)	....	....	(+7,000)	....
Offsetting receipts	(−7,433,000)	(−10,683,000)	(−10,683,000)	(−3,250,000)	....
Offsetting collections	(−13,000)	(−14,000)	(−14,000)	(−1,000)	....
(Limitation on direct loans)	(2,000)	(2,000)	(2,000)	....	....
(Limitation on guaranteed loans)	(981,300,000)	(981,030,000)	(981,345,649)	(+45,649)	(+315,649)
TITLE III—RELATED AGENCIES					
Access Board	9,200	9,200	9,200	....	....
Federal Maritime Commission	28,000	28,900	31,060	+3,060	+2,160
National Railroad Passenger Corporation Office of Inspector General	24,274	26,248	24,488	+214	−1,760
National Transportation Safety Board	110,400	116,400	119,000	+8,600	+2,600
Neighborhood Reinvestment Corporation	158,500	27,400	158,500	....	+131,100
Surface Transportation Board	37,100	37,500	37,500	+400	....
Offsetting collections	−1,250	−1,250	−1,250	....	....
Subtotal	35,850	36,250	36,250	+400	....
United States Interagency Council on Homelessness	3,800	3,800	3,800	....	....
Total, title III, Related Agencies	370,024	248,198	382,298	+12,274	+134,100
TITLE IV—GENERAL PROVISIONS—THIS ACT					
Sec. 424 Unobligated General Fund Highway Balances (rescission)	−19,935	....	....	+19,935	....
OTHER APPROPRIATIONS					
EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS (PUBLIC LAW 116–136 DIVISION B)					
DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and Expenses (emergency)	1,753	....	....	−1,753	....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2020 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2021—Continued

[In thousands of dollars]

Item	2020 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2020 appropriation	Budget estimate
Payments to Air Carriers (emergency)	56,000	....	....	−56,000	....
Federal Aviation Administration					
Grants-in-Aid for Airports (emergency)	10,000,000	....	....	−10,000,000	....
Federal Railroad Administration					
Safety and Operations (emergency)	250	....	....	−250	....
Northeast Corridor Grants to the National Railroad Passenger Corporation (emergency)	492,000	....	....	−492,000	....
National Network Grants to the National Railroad Passenger Corporation (emergency)	526,000	....	....	−526,000	....
Total, Federal Railroad Administration	1,018,250	....	....	−1,018,250	....
Federal Transit Administration					
Transit Infrastructure Grants (emergency)	25,000,000	....	....	−25,000,000	....
Maritime Administration					
Operations and Training (emergency)	3,134	....	....	−3,134	....
State Maritime Academy Operations (emergency)	1,000	....	....	−1,000	....
Office of Inspector General					
Salaries and Expenses (emergency)	5,000	....	....	−5,000	....
Total, Department of Transportation	36,085,137	....	....	−36,085,137	....
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Administrative Support Offices (emergency)	35,000	....	....	−35,000	....
Program Offices (emergency)	15,000	....	....	−15,000	....

Public and Indian Housing					
Tenant-based Rental Assistance (emergency)	1,250,000	....	....	−1,250,000	....
Public Housing Operating Fund (emergency)	685,000	....	....	−685,000	....
Native American Programs (emergency)	300,000	....	....	−300,000	....
Total, Public and Indian Housing	2,235,000	....	....	−2,235,000	....
Community Planning and Development					
Housing Opportunities for Persons with AIDS (emergency)	65,000	....	....	−65,000	....
Community Development Fund (emergency)	5,000,000	....	....	−5,000,000	....
Homeless Assistance Grants (emergency)	4,000,000	....	....	−4,000,000	....
Total, Community Planning and Development	9,065,000	....	....	−9,065,000	....
Housing Programs					
Project-based Housing Assistance (emergency)	1,000,000	....	....	−1,000,000	....
Housing for the Elderly (emergency)	50,000	....	....	−50,000	....
Housing for the Disabled (emergency)	15,000	....	....	−15,000	....
Total, Housing Programs	1,065,000	....	....	−1,065,000	....
Fair Housing and Equal Opportunity					
Fair Housing Activities (emergency)	2,500	....	....	−2,500	....
Office of Inspector General					
Salaries and Expenses (emergency)	5,000	....	....	−5,000	....
Total, Department of Housing and Urban Development	12,422,500	....	....	−12,422,500	....
Total, Other Appropriations	48,507,637	....	....	−48,507,637	....
Grand total	122,777,637	59,163,157	74,838,000	−47,939,637	+15,674,843
Appropriations	(77,344,185)	(65,749,755)	(81,136,250)	(+3,792,065)	(+15,386,495)
Rescissions	(−19,935)	(−288,348)	....	(+19,935)	(+288,348)
Rescissions of emergency funding	(−7,000)	....	....	(+7,000)	....
Emergency appropriations	(48,507,637)	....	....	(−48,507,637)	....
Advance appropriations	(4,400,000)	(4,400,000)	(4,400,000)	....	....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2020 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2021—Continued

[In thousands of dollars]

Item	2020 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2020 appropriation	Budget estimate
Offsetting receipts	(−7,433,000)	(−10,683,000)	(−10,683,000)	(−3,250,000)	....
Offsetting collections	(−14,250)	(−15,250)	(−15,250)	(−1,000)	....
(Limitation on obligations)	(61,322,893)	(66,199,400)	(61,335,789)	(+12,896)	(−4,863,611)
Total budgetary resources	(184,100,530)	(125,362,557)	(136,173,789)	(−47,926,741)	(+10,811,232)