

111TH CONGRESS }
1st Session

HOUSE OF REPRESENTATIVES

{ REPORT
111-366

DEPARTMENTS OF TRANSPORTATION AND
HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIA-
TIONS ACT, 2010

CONFERENCE REPORT

TO ACCOMPANY

H.R. 3288



DECEMBER 8, 2009.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

53-477

WASHINGTON : 2009

DEPARTMENTS OF TRANSPORTATION AND HOUSING AND
URBAN DEVELOPMENT, AND RELATED AGENCIES AP-
PROPRIATIONS ACT, 2010

DECEMBER 8, 2009.—Ordered to be printed

Mr. OLVER, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 3288]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3288), making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE

This Act may be cited as the "Consolidated Appropriations Act, 2010".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

Sec. 4. Statement of appropriations.

**DIVISION A—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2010**

Title I—Department of Transportation

Title II—Department of Housing and Urban Development

Title III—Related agencies

Title IV—General provisions—This Act

**DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
APPROPRIATIONS ACT, 2010**

Title I—Department of Commerce
Title II—Department of Justice
Title III—Science
Title IV—Related agencies
Title V—General provisions

**DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT
APPROPRIATIONS ACT, 2010**

Title I—Department of the Treasury
Title II—Executive Office of the President and funds appropriated to the President
Title III—The judiciary
Title IV—District of Columbia
Title V—Independent agencies
Title VI—General provisions—This Act
Title VII—General provisions—Government-wide
Title VIII—General provisions—District of Columbia

**DIVISION D—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010**

Title I—Department of Labor
Title II—Department of Health and Human Services
Title III—Department of Education
Title IV—Related agencies
Title V—General provisions

**DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND
RELATED AGENCIES APPROPRIATIONS ACT, 2010**

Title I—Department of Defense
Title II—Department of Veterans Affairs
Title III—Related agencies
Title IV—Overseas contingency operations
Title V—General provisions

**DIVISION F—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND
RELATED PROGRAMS APPROPRIATIONS ACT, 2010**

Title I—Department of State and related agency
Title II—United States Agency for International Development
Title III—Bilateral economic assistance
Title IV—International security assistance
Title V—Multilateral assistance
Title VI—Export and investment assistance
Title VII—General provisions

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

The conference agreement provides \$16,168,000 for transportation planning, research and development, instead of \$14,733,000 as proposed by the House and \$8,233,000 as proposed by the Senate. The conferees direct funding to be allocated to the following projects:

Advanced Power Train Systems Integration Research Facility in the National Transportation Research Center, TN	\$250,000
Earthworks Engineering Research Center, Iowa State University, IA	500,000
Freight Policy Transportation Institute, WA	730,500
Great Lakes Maritime Research Institute, MN/WI	450,000
Hampton Roads-Crater Multimodal Transportation and Distribution Study, VA	243,500
Jet Engine Technology Inspection To Support Continued Airworthiness, Iowa State University, IA	700,000
Mobility 1st Service, MI	750,000
Northern Lights Express, MN	500,000
University of Kansas Engine Test Cell Upgrade, KS	350,000
Vehicle Research Institute—Advanced Materials Transit Vehicle Design, WA	730,500
Whatcom Smart Trips, WA	730,500

WORKING CAPITAL FUND

The conference agreement includes a limitation of \$147,596,000 for working capital fund activities, as proposed by the House and instead of \$147,500,000 as proposed by the Senate. The conference agreement specifies that services shall be provided on a competitive basis to entities within the Department of Transportation. The conference agreement directs the Department to update the “transparency paper” included in the fiscal year 2010 budget justification and include the updated version in the budget justification for fiscal year 2011.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

The conference agreement provides a total appropriation of \$923,000 as proposed by the Senate for the minority business center program, instead of \$912,000 as proposed by the House. Within the funds provided \$353,000 is for the costs of guaranteed loans for short-term working capital as proposed by the Senate, instead of \$342,000 as proposed by the House. In addition, \$570,000 is provided for administrative expenses as proposed by the House and Senate. The bill limits loans made under this program to \$18,367,000 as proposed by the House and Senate.

MINORITY BUSINESS OUTREACH

The conference agreement provides \$3,074,000 for minority business outreach as proposed by the House and Senate and allows funds to be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$150,000,000 for payments to air carriers instead of \$125,000,000 as proposed by the House and the Senate. In addition to these funds, the program will receive \$50,000,000 in mandatory spending pursuant to the Federal Aviation Authorization Act of 1996. The funding provided in the conference agreement is necessary to support air service in all eligible communities.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF
TRANSPORTATION

Section 101 prohibits funds in this Act available to the Department of Transportation from being obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 102 prohibits funds from being obligated or expended to establish or implement a program where essential air service communities are required to assume subsidy costs commonly referred to as local participation.

Section 103 allows the Secretary of Transportation or his designee to engage with states to consider proposals related to the reduction of motorcycle fatalities.

Section 104 authorizes the Secretary of Transportation to transfer the unexpended balances available for the bonding assistance program from "Office of the Secretary, Salaries and Expenses" to "Minority Business Outreach".

Section 105 allows funds provided for the Transportation Planning, Research, and Development program to be used for the development, coordination, and analysis of data collection procedures and national performance measures. Data analysis is a critical part of informing transportation decision-making and reaching national priorities such as safety, economic accessibility, congestion reduction, network utility, reduced energy use, and environmental protection. The conferees encourage the Secretary to work with States and Metropolitan Planning Organizations in order to understand the resources they would need to collect and report accurate data on system performance.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$9,350,028,000 for operations of the Federal Aviation Administration instead of