

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

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CONFERENCE REPORT

TO ACCOMPANY

H.R. 3288



DECEMBER 8, 2009.—Ordered to be printed

the Senate Banking, Housing and Urban Affairs Committee within 45 days of enactment.

Section 170 prohibits reallocation of SAFETEA-LU funding for three transit projects in Connecticut as proposed by the Senate.

Section 171 modifies a provision proposed by the Senate which extends FTA's contingent commitment authority for Fiscal Year 2010.

Section 172 modifies a provision proposed by the Senate regarding the enforcement of the charter bus rule for an area in Washington State. The conference agreement directs the Office of Inspector General to study the effect of charter tour regulations on quality and price of transit services.

Section 173 permanently allows the local share calculations for New Start projects that are part of interstate multi-modal projects on interstate highway corridors to include all local funds in the project's financial plan as proposed by the Senate.

The conference agreement does not include a Senate provision prohibiting the issuance of a final rule under section 5309 of title 49, United States Code.

#### SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

##### OPERATIONS AND MAINTENANCE

##### (HARBOR MAINTENANCE TRUST FUND)

The conference agreement includes \$32,324,000 for the operations, maintenance, and capital asset renewal of the Saint Lawrence Seaway Development Corporation (SLSDC) as proposed by the House and the Senate.

##### MARITIME ADMINISTRATION

##### MARITIME SECURITY PROGRAM

The conference agreement includes \$174,000,000 for the maritime security program, as proposed by the House and Senate.

##### OPERATIONS AND TRAINING

The conference agreement includes \$149,750,000 for the Maritime Administration's operations and training account, instead of \$140,900,000 as proposed by the House and \$154,900,000 as proposed by the Senate. The bill allocates the funds for operations and training as follows:

<i>Activity</i>	<i>Conference level</i>
U.S. Merchant Marine Academy (USMMA)	
Operations .....	\$59,057,000
Capital improvements .....	15,000,000
Subtotal, USMMA .....	74,057,000
State Maritime Academies	
Student incentive payments .....	2,150,000
Direct schoolship payments .....	2,550,000
Schoolship maintenance and repair .....	11,240,000
Subtotal, State Maritime Academies .....	15,940,000

## MARAD Operations

Salaries and Benefits .....	28,602,000
Non-Discretionary Operations .....	9,731,000
Information Technology .....	8,155,000
Discretionary Operations and Travel .....	1,777,000
Discretionary Program Expenses .....	11,488,000
Subtotal, Operations .....	59,753,000
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Total, Operations and Training .....	149,750,000

*United States Merchant Marine Academy.*—The conference agreement includes language stipulating that the \$74,057,000 provided for the capital improvements, operations, and maintenance of the United States Merchant Marine Academy will be made available to the Academy only after the Secretary completes and provides to the House and Senate Committees on Appropriations a plan detailing how such funding will be expended. This plan should include detailed information on the long-term capital plan for the Academy as proposed by the Senate. The conference agreement includes modified language proposed by the Senate providing that only the Secretary or the Assistant Secretary of Transportation for Budget and Programs may make allotments for the Academy.

*Reporting requirements.*—The Maritime Administration is instructed to submit to the House and Senate Committees on Appropriations within three months of enactment of this Act a report identifying the actions taken to implement each GAO recommendation as proposed by the House. MARAD is also instructed to submit a report detailing the cost, use, and authorization for Midshipmen fees as proposed by the House.

The conference agreement includes \$11,488,000 for Discretionary Program Expenses. Within the funds provided, \$3,875,000 is for MARAD's environment and compliance activities as proposed by the House. In addition, \$7,000,000 is for the Secure and Efficient Ports Initiative, as proposed by the Senate. None of the funds provided for the port initiative may be used for the creation of a new legacy system.

Within the funds provided, the conference agreement includes sufficient amounts to resolve the unused leave dispute as authorized by Section 502 of the National Defense Authorization Act for fiscal year 2010.

## SHIP DISPOSAL

The conference agreement includes \$15,000,000 for the disposal of obsolete vessels of the National Defense Reserve Fleet as proposed by the House and Senate.

## ASSISTANCE TO SMALL SHIPYARDS

The conference agreement includes \$15,000,000 for assistance to small shipyards. MARAD should include geographic diversity of grant recipients within the criteria for assistance to small shipyard grants.

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

The conference agreement includes \$9,000,000 for the maritime guaranteed loan program (title XI). Within the funds provided, \$4,000,000 is for administrative expenses and \$5,000,000 is for new loan guarantees.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Section 175 retains a provision provided by the House and the Senate that authorizes MARAD to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of MARAD, and allow payments received to be credited to the Treasury.

Section 176 provides a mechanism to collect and utilize fees collected from midshipmen at the United States Merchant Marine Academy, as proposed by the House and the Senate. The language also accounts for fees previously collected and held by the Maritime Administration and allows for surplus fees from prior years to be refunded to midshipmen.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(PIPELINE SAFETY FUND)

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$21,132,000 for the necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration (PHMSA), instead of \$19,968,000 as proposed by the House and the Senate.

The conference agreement includes \$1,164,000 above the budget request for operational expenses relating to improvements to the special permits and approvals program. Included in this increase, the conferees provide four new positions and the associated half-year funding for information technology services and data analysis relating to special permits and \$800,000 to begin the associated modernization efforts of the hazardous materials information system.

Of the amount provided, \$639,000 is to be derived from the Pipeline Safety Fund, as proposed by the House and the Senate. The conference agreement also requires that of the available funds \$1,000,000 shall be transferred to Pipeline Safety to fund pipeline safety information grants to communities, as proposed by the House and the Senate.

HAZARDOUS MATERIALS SAFETY

The conference agreement provides \$37,994,000 to continue the agency's hazardous materials safety functions, instead of \$36,500,000 as proposed by the House and \$35,500,000 as proposed by the Senate. Of this amount \$1,699,000 shall be available until September 30, 2012, as proposed by the Senate.