

**AUTHORIZATION AND OVERSIGHT PLAN OF THE COMMITTEE ON
TRANSPORTATION AND INFRASTRUCTURE
115TH CONGRESS**

In accordance with Rule X of the House of Representatives, the Committee on Transportation and Infrastructure is responsible for determining whether laws and programs within its jurisdiction are being implemented according to Congressional intent and whether they should be continued, changed, or eliminated. In the 115th Congress, the Committee will review the activities of government agencies and entities within its jurisdiction and the public and private interests they affect or regulate. As appropriate, the Committee will investigate ways to improve the overall performance and operation of the agencies and entities it oversees, promote reform and cost savings, and eliminate fraud, wasteful spending, abuse and mismanagement where possible.

The oversight and investigation functions are vested at the Full Committee level. Oversight and investigation activities will be coordinated between the Full Committee and the Subcommittees. This structure will facilitate oversight of issues that cut across the jurisdiction of several Subcommittees. The Committee will continue to exercise its oversight duties through its own staff, as well as through work performed at the Committee's request by the Government Accountability Office (GAO) and the various Inspectors General (IG) within their respective agencies and departments. Oversight activities will include hearings, briefings, correspondence, reports, media releases, and public statements.

The GAO provides Congress a biennial update on high-risk programs, which are Federal programs and operations that the GAO considers to be at high risk for waste, fraud, abuse, mismanagement, or in need of broad reform. Consistent with the Rules of the House of Representatives, the Committee will hold hearings on the programs within the Committee's jurisdiction on GAO's "high-risk" list. The rules also require the Committee to hold at least one hearing every 120 days on "waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize." These hearings will focus on "the most egregious instances of waste, fraud, abuse, or mismanagement," as documented by any report that the Committee has received from an IG or GAO. Finally, the Committee will hold hearings if any agency has received disclaimers on its agency financial statements.

The Committee has identified several particular areas for oversight and investigation in the 115th Congress. These areas are organized by Subcommittee and discussed below:

SUBCOMMITTEE ON AVIATION

1. **Implementation of the FAA Extension, Safety, and Security Act of 2016.** The FAA Extension, Safety, and Security Act of 2016 (P.L. 114-190) was signed into law on July 15, 2016. This Act authorizes funding for the Federal Aviation Administration (FAA) through fiscal year 2017, and contains a number of safety-critical and time-sensitive reforms. The Subcommittee will closely oversee the FAA's efforts to implement the provisions of this Act.

2. **Safety Programs.** The Subcommittee has held numerous safety hearings and will continue its oversight. Maintaining a safe and efficient aviation system is critical to the aviation industry, passengers, the U.S. economy, job creation, and U.S. competitiveness in the global marketplace. Issues to be addressed include: general aviation safety, key safety agreements, the safe integration of unmanned aircraft systems, pilot and controller training, losses of separation between aircraft, the FAA's enforcement and certification activities, commercial airline safety, and the FAA's voluntary reporting and data-sharing and assessment programs.
3. **National Transportation Safety Board.** Authorization for the National Transportation Safety Board (NTSB) expired in 2008. A reauthorization bill passed the House in 2010 but was not enacted.
4. **Airline Financial Position and Customer Service.** The aviation marketplace has gone through many changes and over the next decade, the FAA predicts that air traffic operations will increase. The Office of the Secretary within the Department of Transportation (DOT) is responsible for economic oversight of the airline industry, including ensuring that air carriers do not engage in unfair and deceptive practices that could harm consumers and ensuring that business agreements among air carriers do not result in harmful effects. The DOT's actions in this regard may have a dramatic impact on the industry, competition, job creation, and airlines' obligations to their passengers. The Subcommittee will continue to examine opportunities to improve the airline industry's competitiveness, review recently established regulations to ensure the aviation system remains safe and accessible to the traveling public, and provide oversight of standards for passenger service.
5. **Oversight of the Commercial Space Industry.** The mission of the FAA's Office of Commercial Space Transportation is to ensure protection of the public, property, and the national security and foreign policy interests of the United States during commercial launch or reentry activities, and to encourage, facilitate, and promote U.S. commercial space transportation. The Subcommittee will continue to monitor the status and future of the U.S. commercial space transportation industry and the role of the FAA in providing safety oversight of the industry.
6. **Evaluation of FAA's NextGen Air Traffic Control Modernization.** Since the early 1980s, the FAA has been working to modernize the air traffic control system, and its most current effort is the Next Generation Air Transportation System (NextGen). The FAA describes NextGen as "a monumental, historic shift forward in the modernization of our air transportation system" and as "[i]ntegrating NextGen capabilities to transform the National Airspace System". The FAA has stated that NextGen will result in greater airspace system efficiency; reduced noise exposure; reduced emissions and fuel burn; improved safety; increased accuracy and reliability in equipment and software used for navigation and air traffic control; and the capability for future computer enhancements. Over the years, the FAA's NextGen efforts have been behind schedule and over budget. The Subcommittee will continue to monitor and examine the FAA's efforts to establish

performance metrics, meet deadlines, stay within budget, ensure an appropriate level of aircraft equipage with NextGen avionics, and pursue solutions to identified challenges.

7. **Cybersecurity of the National Airspace System.** As the FAA modernizes air traffic control technology, and the aviation industry modernizes the aircraft fleet, concerns about the robustness and resiliency of these systems have arisen. Ensuring the cybersecurity of these systems is of critical importance. The FAA Extension, Safety, and Security Act of 2016 directs the FAA to implement a strategic framework for cybersecurity. The Subcommittee will continue its oversight of the cybersecurity activities of the FAA and relevant stakeholders to ensure appropriate steps are being taken by the FAA to address cyber-threats and complete the strategic framework for cybersecurity.
8. **Implementation of the FAA Modernization and Reform Act of 2012.** The FAA Modernization and Reform Act of 2012 (P.L. 112-95) (FMRA) was signed into law on February 14, 2012. The FMRA authorized funding for, and reformed and revised the safety programs, air traffic control modernization (NextGen) efforts, and operations of the FAA through fiscal year 2015. The Subcommittee will continue to closely oversee the FAA's efforts to implement the remaining mandates contained in the FMRA and to improve aviation safety.
9. **Investment in Aviation Infrastructure.** America's airports are part of a global aviation system, and as such they must remain safe and efficient in order to compete with global hubs of air commerce. Over the next five years, the FAA estimates a need for \$32.5 billion in projects eligible for Airport Improvement Program (AIP) grants. Airports rely on AIP funding, supplemented with revenue from the statutorily-authorized passenger facility charge, which is capped at \$4.50 per segment and \$18 per round trip. The Subcommittee will conduct oversight as appropriate regarding airport financing and the FAA's administration of the AIP.

SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

1. **Coast Guard Budget.** H.R. 4188, the Coast Guard Authorization Act of 2016, authorized \$6.98 billion for the Service in each of fiscal years 2016 and 2017, was signed into law on February 8, 2016.

In the 115th Congress, the Subcommittee will hold hearings on the President's fiscal year 2018 and 2019 budget requests and consider legislation to authorize the Coast Guard. The Subcommittee will explore ways to improve Coast Guard operations, and improvements to laws governing maritime transportation.

2. **Coast Guard Acquisition.** The Coast Guard is currently undergoing a major recapitalization of its oceangoing assets. The recapitalization will replace or modernize more than 90 ships and 200 aircraft used to carry out the Service's missions beyond near coastal waters. It will also replace antiquated command, control, and communications systems. The program faces serious challenges related to schedule and budget. The longer the acquisition program drags out, the more resources are siphoned off to maintain existing assets. In many cases, those assets are at or beyond projected service life and are

more difficult and expensive to maintain. The Subcommittee is concerned that delays in new asset acquisition, competing demands from shoreside infrastructure and other Coast Guard cutter capital needs, and the cost of legacy asset maintenance threaten the ability of the Service to complete this recapitalization and avoid gaps in operational capability.

In the 115th Congress, the Subcommittee will continue to closely review the programs of record, as well as any changes to those programs which may be advisable or necessary to ensure the men and women of the Coast Guard who risk their lives for our Nation have the best equipment possible at the best price for the taxpayer.

3. **Mission Balance.** The Subcommittee continues to have concerns with the Coast Guard's ability to balance funding and focus among the Service's many distinct and competing missions. Since September 11, 2001, significant additional resources have gone to the Service's homeland security activities. Security-related missions such as ports, waterways, and coastal security and migrant interdiction have seen dramatic increases from pre-September 11, 2001 funding levels. Other traditional Coast Guard missions have not seen such increases. Resources and man-hours devoted to missions such as drug interdiction and fisheries law enforcement are well below pre-September 11, 2001 funding levels.

In the 115th Congress, the Subcommittee will continue its oversight of the Coast Guard's mission balance to ensure the Service qualitatively and quantitatively reviews its many missions, makes and justifies decisions about which missions it cannot afford to meet performance measures, identifies and responds to exigencies that divert resources between missions, and plans how it allocates resources appropriately among its many missions.

4. **Maritime Domain Awareness.** The effort to know what is happening at all times on the ocean, coastal and interior waters of the United States, and aboard the vessels that transit in or through waters under U.S. jurisdiction is known as Maritime Domain Awareness (MDA). The successful implementation of MDA is critical to maritime safety, homeland security, and the efficiency and reliability of the U.S. maritime supply chain.

The Coast Guard relies on several new and developing technologies to acquire, manage, and disseminate interoperable MDA information. The Subcommittee is concerned with the Coast Guard's apparent inability or disinterest to assess new technologies, such as unmanned, autonomous aerial and underwater vehicles, in order to acquire MDA information in a more cost-effective manner with greater accuracy and efficiency.

In the 115th Congress, the Subcommittee will continue its oversight of the Service's ongoing efforts to assess, develop, and implement new MDA technologies to ensure that Coast Guard operations are informed by the best MDA information possible that is gathered in a timely, reliable manner, and provides high value for the taxpayer. The Subcommittee will also examine the costs imposed on maritime stakeholders as part of the MDA program, and examine methods to reduce those costs without negative impacts to the quality and quantity of MDA information.

5. **Coast Guard Prevention and Response Activities.** The Coast Guard plays major roles in response to oil spills (i.e. DEEPWATER HORIZON) and natural disasters (i.e. hurricanes and flood events). The Service was the Federal On-Scene Coordinator and National Incident Commander for the 2010 DEEPWATER HORIZON spill in the Gulf of Mexico. The Coast Guard was a first responder to Hurricanes Katrina and Rita which devastated New Orleans and the Mississippi River Delta in 2005, and in 2016, the Coast Guard responded to severe flood events in Louisiana and North Carolina. In addition, the Coast Guard enforces domestically the implementation of the National Invasive Species Act, and internationally, U.S. compliance with a convention to prevent invasive species from being introduced into U.S. waters through the discharge of ballast water. Due to a 2008 federal court decision, the discharge of ballast water and other “discharges incidental to the normal operation of vessels” such as bilge water, deck wash, and air conditioning condensate are now regulated by the Environmental Protection Agency (EPA) under the Clean Water Act. A number of states have adopted ballast water standards. Thus far, these standards have been waived because they have proven unenforceable. However, if implemented these standards would severely complicate vessel operations and impede the flow of commerce along our coast, Great Lakes, and inland rivers.

In the 115th Congress, the Subcommittee will conduct oversight on the Coast Guard’s crisis prevention and response capabilities. Oil spills, natural disasters, and mass migration events can each over-extend the Coast Guard’s prevention and response systems and capabilities. The Subcommittee will conduct oversight on Coast Guard prevention and response programs, including its existing regulations authorizing the use of Alternative Planning Criteria. The Subcommittee will also work with the Water Resources and Environment Subcommittee to conduct oversight of the Coast Guard’s implementation of its ballast water regulation, including the status of the Coast Guard’s type approval process for ballast water treatment systems, and EPA’s implementation of its Vessel General Permit program for vessel incidental discharges. The Subcommittee will work to set a single nationwide ballast water standard that ensures the efficient movement of maritime commerce, defends seafaring and port jobs, and protects the environment.

6. **Short Sea Shipping.** Short sea shipping is the waterborne movement of commercial freight between two ports in the United States or between ports in the United States and Canada. At the present time, the most highly developed water freight transportation systems in the United States operate on the Mississippi River, the Great Lakes, and the St. Lawrence Seaway, most often carrying agricultural products and other raw materials. However, the Maritime Administration has found these routes are underutilized, carrying approximately 13% of total freight tonnage in the United States. By comparison, nearly 70% of the freight tonnage transported in the United States is moved by trucks travelling across our Nation’s roadways.

Revitalization of our marine highways has the potential to reduce congestion on our highways, improve air quality, and create new maritime industry jobs for Americans.

The Subcommittee will examine potential options for increasing the cost-competitiveness and expanded use of short sea shipping in the 115th Congress.

7. **FMC and MARAD Budget.** The Subcommittee has jurisdiction over the Federal Maritime Commission (FMC) and the non-defense related programs of the Maritime Administration (MARAD). The FMC is responsible for the economic regulation of U.S. waterborne foreign commerce and unfair shipping practices. MARAD oversees several programs related to defense readiness, as well as programs designed to promote and develop the domestic merchant marine and shipbuilding industries.

The Subcommittee will continue to conduct oversight of the FMC and MARAD in the 115th Congress. The Subcommittee will explore ways to promote job growth in the domestic fleet while reducing costs at both agencies.

8. **National Maritime Strategy.** Section 603 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 directed the Secretary of Transportation, in consultation with the Commandant of the Coast Guard, to develop and transmit to the Congress a National Maritime Strategy no later than 60 days after the date of enactment. This comprehensive strategy was to include recommendations to increase the competitiveness and use of U.S.-flag vessels in the U.S. foreign trade, enhance shipbuilding, ensure federal agency compliance with cargo preference requirements, and increase the use of short sea shipping in the United States. Congress is still waiting to receive the Strategy.

The Subcommittee will conduct oversight of the Maritime Administration and the Coast Guard to determine the status of the development of this strategy to promote and expand economic opportunities for U.S.-flag carriers and related marine industries and the future of the U.S. Merchant Marine.

9. **Ports Safety and Security.** The Subcommittee will continue oversight of U.S. ports and potential vulnerabilities with respect to dirty bombs and fissile materials and the adequacy of the existing multi-layered, risk-based security strategy. U.S. ports are a critical component in an efficient U.S. marine transportation system since they are the primary portals through which cargo and other goods enter and exit the United States. In 2014, 23.1 million jobs in the United States were supported by the cargo moving through U.S. seaports. Furthermore, marine cargo activity generated around \$4.6 trillion of total economic activity or about 26% of the United States' \$17.4 trillion Gross Domestic Product in 2014. Any incident occurring in U.S. ports will impact the U.S. economy and the flow of goods into and out of the United States.

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

1. **Emergency Management.** The Subcommittee will continue to examine and evaluate the Nation's ability to prevent, prepare for, mitigate against, respond to, and recover from

disasters and emergencies of all types including terrorism. In the 115th Congress, continued oversight will be needed as states continue to be impacted by and recover from prior disasters, such as Hurricane Sandy, Hurricane Matthew, and the Louisiana Floods. In addition, the Subcommittee will continue its oversight of FEMA's implementation of reforms and additional authorities from the Sandy Recovery Improvement Act of 2013 and the Post-Katrina Emergency Management Reform Act of 2006.

The Subcommittee intends to continue its comprehensive review and assessment of how federal disaster assistance has evolved over the past several decades and its continued effectiveness. The purpose is to examine how and why disaster costs and losses have continued to increase, which agencies provide assistance and how that money is spent, what guidance or controls are in place for the effective use of assistance, and the appropriate role for the Federal Government.

2. **Border Security.** During the 114th Congress, the Subcommittee conducted oversight of land ports of entry (LPOEs) construction and the implementation of a Public Private Partnership program created as part of the Fiscal Year 2014 Consolidated Appropriations Act. Additional legislation was moved to make changes and modifications of that program in the 114th Congress. The Subcommittee will continue its oversight of LPOE construction projects, the implementation of the Public Private Partnership program and examine additional ways in which private dollars could be leveraged.
3. **Leasing.** During the 113th and 114th congresses, the Subcommittee held hearings and roundtables identifying the large number of GSA leases expiring in the next five years and examining GSA's process for addressing them. GSA currently leases 195 million rentable square feet -- more than half of the GSA's total space inventory. The cost of leasing space accounts for more than half of the GSA's Federal Buildings Fund (FBF) annual expenses, totaling more than \$5.4 billion annually. Over the next five years, more than 50% of GSA's leased space will expire, creating an opportunity to significantly reduce leasing costs to the taxpayer. The Subcommittee will continue its oversight of GSA leasing and how it is managing the replacement of expiring leases with good deals for the taxpayer.

In addition, in the 112th and 113th Congresses, problems with independent leasing authorities of agencies outside of GSA were made apparent. In 2010, the Securities and Exchange Commission (SEC), which has its own independent leasing authority, signed a sole-source 10-year lease for a state of the art building it later determined it did not need, binding the taxpayer to more than \$500 million. The Subcommittee conducted an investigation and held hearings that revealed serious questions about SEC's management of its space and its leasing authority. In the 114th Congress, the Subcommittee continued its oversight by requesting a GAO review of agencies with independent leasing authorities and holding a hearing focusing on how agencies with such authorities were managing them. In addition, questions about how the Department of Veterans Affairs (VA) has used its leasing authority resulted in VA procurement of leases for its outpatient clinics and centers through GSA's leasing authorities. Because of these ongoing issues

surrounding independent leasing authorities, the Subcommittee will continue its oversight of leases outside of GSA.

4. **Real Property Management.** The management of Federal Real Property has been on the GAO's *High Risk* list since 2003 due to a number of mismanagement issues including the overreliance on costly leasing to meet long-term space needs and underused or vacant space. In addition, with nearly half of GSA's assets over 50 years old, GSA has faced challenges maintaining a balanced inventory, draining Federal resources and costing more to maintain old buildings that are often inefficient. While commercial leasing may be advisable in many cases, GSA is often driven to costly operating leases when ownership may be less costly to the taxpayer. The Office of Management and Budget's budget scorekeeping rules are key drivers on "own vs. lease" asset decision-making. Current budget scorekeeping rules generally leave GSA with only two options for meeting the Federal Government's general purpose space needs: direct appropriations for new construction or long-term leases. In addition, with tight budget constraints and the lack of funds for new construction, GSA has begun exploring alternative arrangements for space acquisition and redevelopment.

During the 113th and 114th congresses, the Subcommittee held roundtables and hearings on how Public-Private Partnerships could be used as alternative methods of financing space. In addition, the Committee established a Public Private Partnership Panel that explored the use of P3's across various types of infrastructure, including public buildings. The P3 Panel recommended, among other things: (1) review and modify budgetary scoring rules for commercially leased office space to enable operating lease treatment of long-term leases and fixed-priced, below market purchase options; and (2) fully utilize existing lease authorities and Office of Management and Budget (OMB) budgetary scoring procedures to proceed with long-term ground lease/lease back arrangements where the federal government retains ownership of leasehold improvements at the end of the ground-lease term.

In 2013, OMB issued a directive to agencies called "Freeze the Footprint" and later modified the directive in 2015 to shrink the space footprint. That directive requires agencies to reduce their amount of office and warehouse space to FY2012 levels. The Subcommittee will continue to conduct investigations and oversight of GSA's management of its real property portfolio and examine ways to ensure cost-effective choices are made. In addition, the Subcommittee will work to ensure GSA maximizes the utilization of existing space, renegotiates existing leases to reduce costs, and sells underused or vacant properties which will generate revenue. Finally, the Subcommittee will work to ensure GSA fully utilizes its enhanced property management authority to make better use of space it retains, such as out-leasing empty Federal space to generate income for the Federal Buildings Fund and help offset costs. The Subcommittee will conduct close oversight of GSA's use of these authorities to ensure they are managed and used appropriately.

5. **Capital Investment and Leasing Program (CILP).** As part of the Committee's annual work to review and authorize GSA's requests for authority to repair, alter, construct and

lease property for use by Federal agencies, the Subcommittee will review each prospectus presented to the Committee and recommend approval only after the Subcommittee is satisfied that the requests are cost-effective and in the best interest of the government. The Subcommittee will work aggressively with GSA and tenant agencies to shrink the space footprint where appropriate.

6. **Federal Courthouses.** In June of 2010, GAO issued a report on the Federal courthouse program and found that of the 33 courthouses built since 2000, there was 3.56 million square feet of extra space, costing the taxpayer \$835 million plus \$51 million annually to operate and maintain. Since that time, the Judiciary developed a new review process to identify the need for new courthouses. In 2013, the Committee requested the Judiciary apply the new process to the courthouses on its 5-Year Courthouse Plan. The Judiciary completed the process in late 2014 and issued an updated Plan in 2015. The Judiciary received funding for courthouse construction in Fiscal Year 2016. The Subcommittee will closely oversee the progress made on courthouses authorized to ensure they are constructed within the limitations placed upon them by the Committee and to ensure they stay below or within budget.
7. **Federal Protective Service (FPS).** As a part of the Homeland Security Act of 2002, the Federal Protective Service was transferred from the Public Buildings Service of GSA to the Department of Homeland Security. However, responsibility for the protection of federal buildings, generally, remains with FPS within DHS. The Subcommittee will continue to monitor and review the policies, procedures, and requirements of security at public buildings.
8. **Major Development Projects.** The Federal Bureau of Investigation headquarters consolidation project was authorized in the 114th Congress. The Committee refused to provide GSA and the FBI a blank check, but set a clear limitation to the costs and other parameters to ensure the project would meet the needs of the FBI, shrink its space by 33 percent, and minimize costs to the taxpayer. Should the project receive funding in the 115th Congress, the Subcommittee plans to conduct aggressive oversight of the project to ensure it stays on time and within budget.

In addition, there are a number of other proposed major construction and development projects that utilize alternative methods of acquiring space, such as GSA's exchange authority. This includes the Department of Labor headquarters building. The Subcommittee plans to conduct close review and oversight of these major development projects, particularly examining how GSA is utilizing its exchange authority in this context.

9. **Architect of the Capitol.** The subcommittee will continue ongoing oversight of projects being undertaken by the Architect of the Capitol pursuant to the Master Plan for the Capitol Complex. Consistent oversight will ensure proper prioritization and cost savings.
10. **Smithsonian Institution Facilities.** The Subcommittee will continue its oversight of projects undertaken by the Smithsonian Institution including the acquisition, construction

and use of local and remote museums, research and storage facilities of the Institution. The Subcommittee will continue to ensure cost-effective solutions to the Smithsonian's space needs such as leveraging private dollars and disposal or effective reuse of underused assets.

11. **John F. Kennedy Center for the Performing Arts.** As a part of its ongoing oversight of the Kennedy Center's programs, the Subcommittee will regularly review the construction, alteration, and modernization activities of the Kennedy Center that are conducted using federal funds to ensure appropriate management and cost savings.
12. **Economic Development.** In the 114th Congress, the Subcommittee worked to ensure economic development programs focused on their core missions of leveraging private dollars through infrastructure improvements to attract new jobs to distressed communities. The Subcommittee will continue to work to ensure these programs are targeted, effective, and remain focused on their core missions.

SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

1. **FAST Act Implementation.** The Fixing America's Surface Transportation Act (P.L. 114-94; FAST Act) reauthorized Federal surface transportation programs through fiscal year 2020. Enacted on December 4, 2015, the FAST Act improves the Nation's transportation infrastructure, reforms Federal surface transportation programs, refocuses those programs on addressing national priorities, and encourages innovation to make the surface transportation system safer and more efficient. A large part of the Subcommittee's oversight activities in the 115th Congress will focus on the implementation of the FAST Act, including the areas of: streamlining project delivery; freight mobility; competitive grant programs; federal credit assistance programs; safety programs and regulations; transit program requirements; and research and transportation technologies activities.
2. **MAP-21 Implementation.** Enacted in July 2012, the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141; MAP-21) reauthorized Federal surface transportation programs through fiscal year 2014. While there has been progress made on the implementation of MAP-21, there are still significant provisions that are not fully implemented. As a result, the Subcommittee will continue its oversight of the implementation of MAP-21, specifically in the following areas: streamlining project delivery; performance management; transportation planning; motor carrier safety regulations; and transit safety oversight.
3. **Sustainability of Surface Transportation Programs.** The Federal highway, highway safety, and public transportation programs are user-fee financed through Federal excise taxes levied on motor fuels and on various highway-related products such as tires and heavy trucks. Revenues from these user fees are deposited into the Highway Trust Fund (HTF) and may be used only for eligible transportation projects and activities. By fiscal year 2021, revenues credited to the Highway Account and Mass Transit Account of the HTF will be insufficient to meet its obligations, according to projections by

Congressional Budget Office. The Subcommittee will monitor the status and solvency of the HTF, and its ability to fully fund the programs authorized under the FAST Act and to meet future surface transportation investment needs.

- 4. Fiscal Year 2018 and 2019 Budget Requests.** The Subcommittee will review and evaluate the Administration's fiscal year 2018 and fiscal year 2019 budget requests for the Office of the Secretary of Transportation, Federal Highway Administration, Federal Transit Administration, Federal Motor Carrier Safety Administration, and National Highway Traffic Safety Administration.

SUBCOMMITTEE ON RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

- 1. Fiscal Year 2018 and 2019 Budget Requests.** The Subcommittee will review and evaluate the fiscal year 2018 and fiscal year 2019 budget proposals for the Federal Railroad Administration (FRA), Amtrak, the Surface Transportation Board (STB), the Railroad Retirement Board, the National Mediation Board, and the Pipelines and Hazardous Materials Safety Administration (PHMSA).
- 2. Rail Infrastructure and Safety Programs.** The Passenger Rail Reform and Investment Act of 2015 (PRRIA), enacted as Title XI of the FAST Act, reauthorized Amtrak and programs administered by the FRA. PRRIA restructured and consolidated the grant programs administered by FRA to include: Consolidated Rail Infrastructure and Safety Improvement Grants, authorizing grants for passenger and freight rail projects that improve safety, reliability or efficiency; Federal Partnership for State of Good Repair Grants, authorizing capital grants to reduce the state-of-good-repair backlog for assets used to provide intercity passenger rail service; and Restoration and Enhancement Grants, authorizing operating assistance grants to initiate, restore, or enhance intercity passenger rail service. PRRIA authorized a total of \$2.2 billion for these programs for fiscal years 2016 through 2020. PRRIA also made several improvements to the Railroad Rehabilitation and Improvement Financing (RRIF) program, which provides long-term, low-interest loans and loan guarantees for railroad-related improvements. While this program is authorized to provide up to \$35 billion in lending, FRA has executed only about \$5.2 billion in loans; \$30.5 billion is currently available in credit authority. The Subcommittee will conduct oversight of the grant and loan programs and the ongoing construction of projects throughout the country as grantees build-out their projects.

PRRIA also addressed the safety, efficiency, and reliability of the rail industry. The Act included several provisions to improve safety at highway-rail grade crossings, including a requirement that all states develop highway-rail grade crossing safety action plans. The Act emphasized the safety of intercity passenger and commuter rail operations, with requirements that carriers develop action plans to ensure compliance with speed limits on curves and in bridges and tunnels; that the Secretary evaluate track inspection regulations on high-density commuter railroad lines; and that audio and image recording devices be installed in passenger train locomotives. The Subcommittee will conduct oversight of FRA's safety programs and the changes enacted as part of the Act.

The work at FRA to implement the Rail Safety Improvement Act of 2008 (P.L. 110-432) continues, in particular the Act's requirement for the installation of Positive Train Control (PTC) systems by December 31, 2015, on rail routes carrying passengers or poisonous or toxic-by-inhalation hazardous materials.

In October 2015, the Positive Train Control Enforcement and Implementation Act of 2015, enacted as part of the Surface Transportation Extension Act of 2015 (P.L. 114-73), extended the deadline for installation of PTC to December 31, 2018. At the discretion of the Secretary of Transportation, the deadline may be extended for individual railroads for up to two additional years. The Act requires each railroad carrier to report annually to DOT on its progress toward implementing PTC systems. PRRIA also made available \$199 million from the Mass Transit Account of the Highway Trust Fund for discretionary grants to public transit agencies and state and local governments to assist them with the costs of installing PTC.

The Subcommittee will conduct oversight of FRA's safety programs, grants issued for implementation of PTC, and continued efforts to implement the 2008 and 2015 Acts.

3. **Amtrak.** PRRIA reauthorized Amtrak, Amtrak's Office of the Inspector General, and the Northeast Corridor Commission through fiscal year 2020. The Act fundamentally changed the authorization structure of Amtrak by providing funding by "lines of business", (specifically the Northeast Corridor and the National Network) rather than providing separate grants for operating and capital/debt service activities. All costs and revenues of the company must be allocated to the newly created accounts. The Act also reformed Amtrak's operations, budgeting, and planning processes to reflect the lines-of-business approach. Further, the Act allowed for more private sector participation in stations, rights-of-way, and operations. PRRIA established a State-Supported Route Advisory Committee to help remedy issues pertaining to cost allocation on state-supported routes, and required Amtrak to contract with a third party entity to develop and recommend objective methodologies for Amtrak to use in evaluating intercity passenger rail routes and services. The Subcommittee will conduct oversight of Amtrak, Amtrak's Office of the Inspector General, and the Northeast Corridor Commission, as well as implementation of the 2008 and 2015 Acts.
4. **Surface Transportation Board.** The Surface Transportation Board Reauthorization Act of 2015 reauthorized the STB for the first time since the agency was created in 1995. The Act expanded the Board from three to five members; set expedited timetables for consideration of rate complaints; authorized the STB to initiate investigations on its own initiative; modified the voluntary arbitration process for small rate disputes; and made other changes to improve the STB's efficiency and responsiveness. The Subcommittee will conduct oversight of the STB and its implementation of the reauthorization Act.
5. **California High-Speed Rail Program.** The California high-speed rail project involves the construction of a new high-speed rail line connecting the San Francisco Bay Area, Los Angeles, and San Diego. To date, federal funding for the project has totaled approximately \$3.9 billion, most of which was made available by the American Recovery

and Reinvestment Act of 2009 (ARRA). The project is the largest recipient of FRA's High Speed and Intercity Passenger Rail Program and the Federal ARRA funds must be expended before September 2017. Construction has begun in the Central Valley, but funding to complete the project remains uncertain. The Subcommittee will continue to provide oversight of the project and protect taxpayer funding.

6. **Pipeline Safety Programs.** Congress reauthorized PHMSA's pipeline safety program in the 114th Congress by enacting the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016 (PIPES). The PIPES Act will ensure the agency completes its responsibilities under the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011; provided for a number of assessments of the current safety program; included the establishment of minimum standards for underground natural gas storage systems and liquefied natural gas facilities; provided PHMSA with emergency order authority to impose emergency restrictions, prohibitions, and safety measures on owners and operators of pipeline facilities to abate imminent hazards; and reformed PHMSA to be a more dynamic, data-driven regulator. The Subcommittee will conduct oversight of the Office of Pipeline Safety at PHMSA and its implementation of the Act.
7. **Hazardous Materials Safety Programs.** The Hazardous Material Transportation Safety Improvement Act of 2015, enacted as Title VII of the FAST Act, reauthorized the hazardous materials safety program administered by PHMSA. The Act included a number of provisions to enhance the safety of hazardous materials transportation, with a significant focus on the transportation of flammable liquids, including crude oil and ethanol, by rail. The Act requires all new tank cars to be equipped with thermal blankets and protection for top fittings; mandates that all DOT-111 tank cars in flammable liquids service be retrofitted in accordance with new DOT standards; requires railroads to provide states and local responders with advanced notification and information on high-hazard flammable trains; and authorizes grant funding to assist communities in preparing for and responding to hazardous materials accidents. The Act also directs the GAO to conduct an evaluation of Electronic Controlled Pneumatic (ECP) brake systems and directs the Department of Transportation, through the National Academy of Sciences, to conduct tests of ECP brake systems. The Subcommittee will continue oversight of PHMSA's hazardous materials safety program.

SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

1. **Clean Water Act and Water Infrastructure Programs.** Continued improvement of water quality will likely require a combination of regulatory and non-regulatory approaches, as well as continued investment in the implementation of water quality-related and water infrastructure programs. The Subcommittee's oversight will focus on issues related to these regulatory and non-regulatory approaches and water infrastructure investment.

The Subcommittee will conduct oversight of the implementation of various regulatory and non-regulatory programs under the Clean Water Act (CWA), including how the Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) implement these programs in conjunction with the states, and trends on the effectiveness

of the CWA on water quality. This includes oversight of issues involving the establishment and implementation of water quality standards, total maximum daily loads, and effluent limitations, dealing with discharges of oil or hazardous substances, permitting of point source discharges of pollutants under the National Pollutant Discharge Elimination System (NPDES) permit program, permitting of discharges of dredged or fill materials under the CWA section 404 permit program, and how the EPA and Corps assert federal jurisdiction and make jurisdictional determinations under the CWA. Oversight also will include an examination of Federal and state policies and efforts to address the presence of nutrients and other contaminants in waters under the CWA and other Federal statutes, science and data quality issues, the impact of CWA-associated releases on waters that may be used as a source of drinking water, and continued efforts to improve the management of combined and sanitary sewer overflows, stormwater, and nonpoint sources of pollution.

Continued investments in our Nation's water-related infrastructure should prioritize the creation of American jobs and support a healthy economy. In furtherance of this point, the Subcommittee will conduct oversight of wastewater treatment and water pollution control funding issues, including levels and sources of funding and management of grant and loan programs; opportunities for utilities to increase their overall efficiency and resiliency; wastewater security; and infrastructure needs.

The Subcommittee also will pursue and examine finding innovative ways to finance new and replacement of old water infrastructure projects; providing states, counties, and towns with additional tools and flexibility to address local environmental challenges; and address local affordability concerns. As part of this, oversight may include a review of the effectiveness of watershed, market, and performance-based approaches to addressing local water pollution concerns.

Further, the Subcommittee's oversight will include a review of the EPA's implementation of integrated approaches to municipal stormwater and wastewater management through EPA's integrated planning approach framework. The Subcommittee may investigate whether non-regulatory approaches, such as water quality trading and other market-based approaches, and other innovative approaches undertaken by state and local governments, could result in improvements to the environment.

Moreover, the Subcommittee may review the implications of addressing, through traditional CWA permitting requirements, certain pollutant discharges, including discharges of pesticides, ballast water and incidental discharges from vessels, stormwater, and water transfers.

2. **Army Corps of Engineers Water Resources Program.** The Subcommittee will review efforts to improve the efficiency and effectiveness of the organization, management, and missions of the civil works program of the Corps, including the selection, planning, and implementation of water resources projects; financing and maintenance of harbor and inland waterways infrastructure, and utilization of large, medium, and small harbors; the backlog of uninitiated Corps construction projects or deferred Corps maintenance

projects, including prioritization of projects; asset management of projects in its operation and maintenance account, including existing and future levels of service; and efforts to improve the efficiency, effectiveness, transparency, and consistent implementation of the Agency's regulatory programs, including those pertaining to wetlands (including the jurisdictional scope and procedural and substantive requirements of the permitting programs) and dredging activities. The Subcommittee will review the Corps' implementation of provisions of the Water Resources Reform and Development Act of 2014 and the Water Resources Development Act of 2016, including those that were intended to improve the efficiency of the project planning and project delivery process.

Continued investments in our Nation's infrastructure should prioritize the creation of American jobs and support a healthy economy. The Subcommittee will focus on getting projects for the Nation built more efficiently and cost effectively, thereby more quickly delivering project benefits to the public, while ensuring compliance with existing planning and environmental laws. In addition, the Subcommittee will review Corps' activities under the authority of Section 14 of the Rivers and Harbors Act of 1899 to ensure that Corps review of proposed non-federal sponsor modifications to federal projects are carried out in an effective manner.

The Subcommittee has initiated a study to be carried out by GAO to review water storage pricing at Corps facilities.

3. **EPA – Superfund/Comprehensive Environmental Response, Compensation, and Liability Act and Brownfields.** The Superfund program under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) is aimed at cleaning up land in the United States that has been contaminated by hazardous waste and poses a risk to human health and/or the environment. The Brownfields program was authorized under the Brownfields Revitalization and Environmental Restoration Act (which amended CERCLA). The Brownfields program is aimed at enhancing state, local, and private-sector cleanups of properties, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant. Unaddressed brownfields and Superfund sites drive down property values and tax revenues, pose potential human health concerns, and can deter reinvestment in cities and towns. The Brownfields program protects from Superfund liability many parties engaged in voluntary brownfields cleanups, and supports state and local brownfields assessment and cleanup activities, and state voluntary cleanup programs. The Subcommittee's oversight will focus on issues related to implementation of the Superfund and Brownfields programs.

The Subcommittee will review efforts to improve the efficiency and effectiveness of the contaminated site cleanup process, the process of assessing natural resources damages, and the efforts to hold responsible parties accountable, consistent with Federal law. In addition, the Subcommittee will review the liability, financing, and settlement mechanisms and procedures under the current Superfund program, including the relation of funding sources and levels for the Superfund and Brownfields programs to current demands and needs. The Subcommittee will continue to review implementation of the

Small Business Liability Relief and Brownfields Revitalization Act. This includes evaluating whether there is a need to amend the liability provisions associated with brownfields sites, including those providing protections for innocent parties.

The Subcommittee also will review the role of the states in conducting and financing cleanups, and review the relationships among the states, EPA, and other Federal entities in implementing the Superfund and Brownfields programs. Further, the Subcommittee's oversight will include a review of ongoing Federal, state, and local efforts to revitalize brownfields, including through the implementation of the Small Business Liability Relief and Brownfields Revitalization Act. Finally, the Subcommittee will work to promote state, local, and private efforts to clean up and redevelop Superfund and brownfields sites.

4. **Tennessee Valley Authority.** The Subcommittee will review the management of the Tennessee Valley Authority (TVA) and its programs, including its energy program, operations in the current marketplace, its long-term management of TVA assets, properties, and byproducts of energy generation, and the impact of TVA debt on its long-term goals.

Until mid-2006, the TVA had made significant payments on its long-term debt in an attempt to reduce its total financing obligations. Since 2006, however, TVA's debt has begun to steadily climb to levels that may place the taxpayer at risk. TVA's debt is statutorily capped at \$30 billion and at the end of fiscal year 2014 carried \$23.6 billion in total debt. The Subcommittee may initiate a review of TVA's commitment to long-term financial sustainability to lessen the risk posed to bondholders, ratepayers, and the taxpayer. The Subcommittee may also examine issues related to its management of the TVA workforce.

The 115th Congress may be an appropriate time to revisit TVA's debt reduction activities and variables that impact their debt reduction strategies.

5. **International Boundary and Water Commission** - The International Boundary and Water Commission (IBWC) was established in 1889 with the responsibility for applying the boundary and water treaties between the United States and Mexico and settling any disputes over their application. The body is comprised of both US and Mexican sections, headed by an Engineer-Commissioner who is appointed by the president. The U.S. Section is headquartered in El Paso, TX and operates under the guidance of the State Department. The IBWC carries out, in accordance with their governing treaties, the distribution, regulation, and conservation of water in the Rio Grande and Colorado Rivers for use by both countries; joint construction, operations, and maintenance of international storage dams and reservoirs and hydroelectric plants, flood protection, and sanitation projects for border water quality problems, as well as demarcating the boundary between the U.S. and Mexico.

The Subcommittee will continue to monitor the Amistad Dam in Del Rio, TX. The dam is currently being assessed by a bi-national panel of experts to address a sinkhole that has

developed under the dam and is causing seepage. The Subcommittee will also continue to monitor the ongoing situation in Nogales, AZ at the International Outfall Interceptor (IOI), a binational sewer line that carries millions of gallons of waste each day from Ambos Nogales, Mexico to a treatment plant in Rio Rico, AZ. The IOI runs underneath and adjacent to a storm drain/tunnel which is deteriorating. The entire project is in need of major structural repairs, but the parties involved have yet to come to agreement on funding.

AUTHORIZATION OF PROGRAMS WITHIN THE JURISDICTION OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

In the 113th and 114th Congresses, as discussed above, the Transportation and Infrastructure Committee was responsible for moving major pieces of legislation that were enacted into law, including bills to address our highways, bridges, and transit systems; the passenger rail network; our ports, waterways, locks, and dams; pipeline safety programs; the freight rail economic regulatory agency; the U.S. Coast Guard; the aviation system; and more.

More work remains, and during the 115th Congress, as part of both its oversight and legislative agenda, the Committee on Transportation and Infrastructure will review the authorizations of agencies and programs within its jurisdiction. In addition to the efforts outlined above, the reauthorization activities of the Committee will include legislation regarding the Federal Aviation Administration, the U.S. Coast Guard, the Federal Emergency Management Agency, the General Services Administration, and a bill to authorize water resources development projects.

In addition, under the Committee's jurisdiction a number of programs have lapsed authorizations, but continue to receive appropriations. These programs span across each Subcommittee. To the extent not addressed above, the following measures within the Committee's jurisdiction contain programs or agencies with lapsed authorizations that received funding in Fiscal Year 2016: National Windstorm Impact Reduction Act of 2004; National Transportation Safety Board Reauthorization Act of 2006; Marine Debris Act; Predisaster Hazard Mitigation Act of 2010; Department of Homeland Security Appropriations Act, 2007; Estuaries and Clean Waters Act of 2000; National Earthquake Hazards Reduction Program Reauthorization Act of 2004; Economic Development Administration Reauthorization Act of 2004; Implementing Recommendations of the 9/11 Commission Act of 2007; Railroad Safety Improvement Act of 2008; Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011; Water Quality Act of 1987; An act to amend the Federal Water Pollution Control Act to extend authorization of appropriations for Long Island Sound; Great Lakes and Lake Champlain Act of 2002; Beaches Environmental Assessment and Coastal Health Act of 2000; Small Business Liability Relief and Brownfields Revitalization Act (2002); and Superfund Amendments and Reauthorization Act of 1986. The Committee intends to conduct or continue oversight of these programs in the form of hearings, roundtables, site visits, GAO investigations, IG Audits, briefings and meetings with the relevant agency, or oversight letters to the relevant agency, as appropriate. After conducting the necessary oversight, the Committee will work to determine

whether these programs should continue, be updated or reformed, or be terminated in the 115th Congress or 116th Congress, as appropriate.

Further, within the Committee's jurisdiction are several programs contained within the Railroad Retirement Act, the Railroad Retirement and Survivors' Improvement Act, and the Railway Labor Act that are permanently authorized. These programs under the Committee's jurisdiction have not necessarily been subject to a comprehensive review by the Committee in the prior three Congresses. As such, the Committee will work to conduct the necessary reviews of these programs over this and next Congress. Such oversight may include hearings, roundtables, site visits, GAO investigations, IG Audits, briefings and meetings with the relevant agency, and oversight letters to the relevant agency, as appropriate. Upon completion of such review and oversight, the Committee will determine the appropriate next steps with regard to these permanent authorizations.