

OVERSIGHT PLAN OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

114TH 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 114th 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 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 its High Risk Program, which identifies Federal programs and operations that it 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 Inspector General 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 114th Congress. These areas are organized by Subcommittee and discussed below:

SUBCOMMITTEE ON AVIATION

1. **Implementation of the FAA Modernization and Reform Act of 2012.** The "FAA Modernization and Reform Act of 2012" (FMRA) was signed into law on February 14, 2012. The FMRA authorizes funding for and reforms and revises the safety programs, air traffic control modernization (NextGen) efforts, and operations of the Federal Aviation Administration (FAA) through fiscal year 2015. This law also contains over 100 deadlines for Federal government action, including: rulemakings, program implementations, plans, studies and task force actions. The Subcommittee will continue to closely oversee the FAA's efforts to implement the mandates contained in the FMRA and to improve aviation safety.

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: regional airline safety, general aviation safety, key safety treaties, the safe integration of unmanned aircraft systems (UAS), pilot and controller training, ways to reduce losses of separation between aircraft, the FAA's enforcement and certification activities, 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. Reauthorization of the NTSB may be considered in the 114th Congress.
4. **Oversight of the Office of the Secretary.** The Office of the Secretary within the Department of Transportation (DOT) inherited several aviation functions when the Civil Aeronautics Board was abolished. These functions include 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. Many of these functions have a dramatic impact on the industry, competition, and job creation. Hearings may be held to evaluate various DOT programs and policies affecting aviation, including slots, essential air service, air carrier alliances, aviation consumer issues, international air service, key safety treaties, and the European Union's Emissions Trading Scheme.
5. **Oversight of the Commercial Space Industry.** The mission of the Office of the FAA's 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 1980's, the FAA has been working to modernize the air traffic control system and is implementing the Next Generation Air Transportation (NextGen). FAA states 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 often 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 streamline implementation of the NextGen program.
7. **Airline Financial Position and Customer Service.** Much of the last decade has been a difficult one for the airline industry. The cumulative impacts of 9/11, the severe acute

respiratory syndrome (SARS) outbreak, spikes in fuel prices, and the global recession have taken their toll, although the industry has been profitable over the last few years. Moreover, over the next decade, the FAA predicts that air traffic operations will increase. When the economy improves, passenger complaints about delays, cancellations, overbooking, customer service, and transparency in airfares and ancillary fees charged by airlines may rise again as passenger traffic rebounds. 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.

SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

1. **Coast Guard Budget.** In April, 2014, the House passed H.R. 4005, the Coast Guard and Maritime Transportation Act of 2014 which authorized \$8.72 billion for the Service in each of fiscal years 2015 and 2016. On December 3, 2014, the House adopted H.R. 5769, the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (P.L. 113-281), which authorized \$8.7 billion for fiscal year 2015. The Senate companion bill to H.R. 5769 was signed into law on December 18, 2014.

In the 114th Congress, the Subcommittee will hold hearings on the President's fiscal year 2016 and 2017 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 shipping.

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.

In the 114th Congress, the Subcommittee will continue to closely review the program, as well as any changes to the program which may be 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 competing missions. Since September 11, 2001, the Coast Guard has placed increasing emphasis on the Service's homeland security efforts which have had varying effects on levels of effort among its other missions. Security-related missions such as ports, waterways, and

coastal security and migrant interdiction have seen dramatic increases from pre-September 11, 2001 levels. However, resources and man-hours devoted to missions such as drug interdiction and fisheries law enforcement are well below pre-September 11, 2001 levels.

In the 114th Congress, the Subcommittee will conduct oversight of the Coast Guard's mission balance to ensure the Service reviews its many missions, makes decisions about which missions it cannot afford to undertake, and plan its resources allocation among its many missions appropriately.

4. **Maritime Domain Awareness.** The effort to know what is happening at all times on the waters of the United States and aboard the vessels that transit them is known as Maritime Domain Awareness (MDA). The successful implementation of MDA is critical to maritime safety and security.

The Coast Guard relies on several new and developing technologies to assist in implementing MDA. The Subcommittee is concerned with the ability and desire of the Coast Guard to assess new technologies in order to acquire maritime domain awareness information more efficiently and accurately.

In the 114th Congress, the Subcommittee will continue its oversight of the Service's, assessment, development and implementation of MDA technologies to ensure the best system is fielded in a timely manner and at the best price for the taxpayer. It will also examine the costs imposed on maritime users as part of the MDA program, and examine methods to reduce those costs.

5. **Coast Guard Prevention and Response Activities.** This year marks the fifth anniversary of the DEEPWATER HORIZON oil spill and the tenth anniversary of Hurricane Katrina. The Coast Guard played major roles in response to both of these events. The Service was the Federal On Scene Coordinator for DEEPWATER HORIZON, and the National Incident Commander was a Coast Guard Admiral. The Service also plays a major role in the prevention of oil spills. The Service rescued more than 30,000 Louisiana residents from Katrina's flood waters. The environmental assessment and cleanup from DEEPWATER HORIZON continues and economic consequences of the spill are still being calculated.

In the 114th Congress, the Subcommittee will conduct oversight on lessons learned in response to these crises, and on the capacity of the Coast Guard's prevention and response capabilities today. Oil spills, natural disasters, and mass migration events, all tax the Coast Guard prevention and response systems and capabilities. The Subcommittee will conduct oversight on Coast Guard prevention and response programs.

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 and often carry agricultural products and other raw materials. However, the Maritime Administration has found these routes are carrying only about 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.

The revitalization of our marine highways has the potential to reduce congestion on our highways and create new maritime industry jobs for Americans. The Subcommittee will examine ways expand the use of short sea shipping in the 114th Congress.

7. **Ballast Water and Incidental Discharges.** 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 EPA under the Clean Water Act, as well as the Coast Guard under the National Invasive Species Act and an international convention. In addition, over 25 states have put in place regulations to govern ballast water and other incidental discharges. The requirements of some of these states conflict with requirements in other states. This is severely complicating vessel operations and impeding the flow of commerce along our coast, Great Lakes, and inland rivers.

The Subcommittee will work with the Water Resources and Environment Subcommittee to conduct oversight of this issue in the 114th Congress. The Subcommittee will work to set a single nationwide standard that ensures the efficient movement of maritime commerce, defends seafaring and port jobs, and protects the environment.

8. **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 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 industry

The Subcommittee will continue to conduct oversight of the FMC and MARAD in the 114th Congress. The Subcommittee will explore ways to promote job growth in the domestic fleet while reducing costs at both agencies.

9. **National Maritime Strategy.** Section 603 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 directs the Secretary of Transportation, in consultation with the Commandant of the Coast Guard, to develop and transmit to Congress a National Maritime Strategy no later than 60 days after the date of enactment. This comprehensive strategy is 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 U.S.

The Subcommittee will conduct oversight of the Maritime Administration and the Coast Guard in the development and implementation of this strategy to promote the growth and expansion of economic opportunities for U.S.-flag carriers and related marine industries.

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

1. **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 to apply the new process to the courthouses on its 5-Year Courthouse Plan. The Judiciary completed the process in late 2014. The Subcommittee will continue its oversight of the authorization of new Federal courthouses, encourage the full implementation of courtroom sharing formulae, and place strict requirements on any proposed courthouses to minimize overbuilding and reduce costs. The Subcommittee will also closely oversee the progress made on courthouses already authorized to ensure they are constructed within the limitations placed upon them by the Committee and to ensure they stay below or within budget. The Subcommittee will also ensure that courthouse construction projects include credible judgeship projections; courtroom sharing in a robust and efficient fashion in accordance with the empirical courtroom use data collected by the Federal Judicial Center; and faithful adherence by the General Services Administration (GSA) to congressionally authorized square-footage limitations, as well as dollar limitations, when executing projects.
2. **Leasing.** During the 113th Congress, 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.

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 previous years, the Committee has also found similar mismanagement by other agencies in which poor decisions on leases resulted in taxpayer dollars being wasted. And, more recently, questions about how the Department of Veterans Affairs (VA) has used its leasing authority has 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.

3. **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. Office of Management and Budget 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 Congress, the Subcommittee held roundtables 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." 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 under-used 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.

4. **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.
5. **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.
6. **Major Development Projects.** The construction of the Department of Homeland Security's (DHS) headquarters is a multi-billion dollar Federal construction project that, when completed, will relocate much of DHS operations in the D.C. area into one campus located at the historic St. Elizabeths Hospital site in the Southeast quadrant of D.C. While the Coast Guard headquarters has been completed, additional work is planned. In addition, various DHS components remain in leased space until the phased construction is completed. The Subcommittee plans to continue close oversight of this major project and its associated leases to guard against waste, and ensure jobs are maintained and/or created accordingly throughout the project.

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 proposed new FBI headquarters and the redevelopment of Federal Triangle South. In addition, the redevelopment of the Old Post Office is ongoing. 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.

7. **Architect of the Capitol (AOC).** 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.
8. **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. In addition, the Smithsonian is currently in the process of constructing the National Museum of African American History and Culture. Continued oversight of the construction is important to ensure the project stays within budget and on schedule.

9. **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.
10. **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 114th Congress, continued oversight will be needed as states continue to be impacted by and recover from prior disasters, such as Hurricane Sandy. 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 initiate a 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 declarations and spending have increased, which agencies provide assistance and how that money is spent, what guidance or controls are in place for the effective use of assistance, and what the appropriate role for the Federal Government is.

SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

1. **MAP-21 Implementation.** The Moving Ahead for Progress in the 21st Century Act (MAP-21) reauthorized Federal surface transportation programs for the first time since 2005. Enacted in July 2012, MAP-21 represents an investment in the Nation's transportation infrastructure that translates into safer travel, more efficient commerce, faster project approval and delivery, and the creation of thousands of jobs. To inform the Members' discussion regarding drafting the next surface transportation reauthorization bill, the Subcommittee's oversight activities in the 114th Congress will continue to focus on implementation of MAP-21, specifically in the following areas: streamlining project delivery, performance and accountability, transportation planning, new starts program, transit safety oversight, public transportation emergency relief program, and research and transportation technologies activities.
2. **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. Current projections show that the cash balances in the HTF's Highway Account and Mass Transit Account will drop below prudent levels sometime in fiscal year 2015. The Subcommittee

will monitor the status and solvency of the HTF, and its ability to fully fund the programs authorized under MAP-21 and to meet future surface transportation investment needs.

3. **Regulatory Oversight.**

a. Compliance, Safety, Accountability Program. On December 13, 2010, Federal Motor Carrier Safety Administration (FMCSA) launched its new Compliance, Safety, Accountability (CSA) Program, which uses existing safety data collected by FMCSA and state agencies to better target enforcement activities at truck and bus companies based on crash risk, as measured by a history of safety violations. In February 2014, GAO issued a report identifying serious flaws with the methodology and data quality of the Safety Measurement System, a key component of the CSA program, and made recommendations to U.S. Department of Transportation. The Subcommittee will continue to monitor the development of the CSA program.

b. Hours of Service. On December 27, 2011, FMCSA issued a final rule revising the hours of service (HOS) requirements for commercial truck drivers. The HOS rule limits a truck driver's work week to 70 hours, 11 hours of daily driving time, a maximum driving window of 14 consecutive hours, and stipulates that drivers cannot drive after working eight hours without first taking a break of at least 30 minutes. In addition, the rule requires truck drivers to take a "34-hour restart" in order to restart the clock on their work week. The "34-hour restart" provision must overlap during two periods between 1:00 a.m. and 5:00 a.m. The HOS rule became effective on July 1, 2013. The Consolidated and Further Continuing Appropriations Act, 2015 stayed the restart provisions of the HOS rule for one year, pending further study by FMCSA. The trucking industry has raised concerns that the changes are overly complex, and could potentially reduce productivity and safety. Law enforcement personnel have questioned whether the rule requires additional training for effective enforcement. In a March 31, 2014 letter to the Comptroller General of the United States, Chairman Shuster and Chairman Petri requested GAO to evaluate and report to the Committee on the validity of the key assumptions, data, and methodology used by the FMCSA in its Regulatory Impact Analysis (RIA), which was completed as part of the agency's HOS rulemaking. The Subcommittee will continue to monitor the effectiveness and impacts of the HOS rule.

c. National Roadside Survey. The National Highway Traffic Safety Administration (NHTSA) conducts a national roadside survey to gather information and data about alcohol and drug impaired driving in the United States every ten years. The 2013 study drew criticism from local law enforcement agencies and individual citizens among others. Specifically, concerns were raised about whether it was clear to the public that participation in the survey was voluntary, that law enforcement personnel on scene were off-duty, and whether participants were subject to arrest. The Subcommittee will continue to monitor the national roadside survey.

4. **Fiscal Year 2016 and 2017 Budget Requests.** The Subcommittee will review and evaluate the Administration's fiscal year 2016 and fiscal year 2017 budget requests for the Office of the Secretary of Transportation, Federal Highway Administration, the Federal Transit Administration, FMCSA, and NHTSA.

SUBCOMMITTEE ON RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

1. **DOT Fiscal Year 2016 and 2017 Budgets.** The Subcommittee will review and evaluate the fiscal year 2016 and fiscal year 2017 budget proposals for the Federal Railroad Administration (FRA), Amtrak, the Surface Transportation Board, the Railroad Retirement Board, the National Mediation Board, and the Pipelines and Hazardous Materials Safety Administration (PHMSA).
2. **Reauthorization of the Federal Railroad Administration's Rail Infrastructure Programs.** The FRA administers several rail infrastructure programs, including the Railroad Rehabilitation and Improvement Financing (RRIF) loan program, the High Speed and Intercity Passenger Rail (HSIPR) grant program, and the Rail Line Relocation and Improvement Capital Grant (RLR) program. RRIF is a direct and guaranteed loan program for rail and rail-intermodal infrastructure projects with \$35 billion in loan authority. The HSIPR program is a consolidation of two capital grant programs authorized in the Passenger Rail Investment and Improvement Act of 2008 (PRIIA) (P.L. 110-432)—the intercity passenger rail service grants to states, and the high-speed rail corridor development grants. These programs were appropriated a total of \$10.1 billion and many of the projects are entering into the construction phase. The Subcommittee will conduct oversight of these rail infrastructure programs and the ongoing construction of projects throughout the country as grantees begin to build-out their projects.
3. **Reauthorization of Amtrak.** The Amtrak Reform and Accountability Act of 1997 fundamentally altered the statutory status of Amtrak, a corporation, by freeing Amtrak from a variety of detailed statutory restrictions governing the company's route system, capital structure, labor relations, and corporate governance. In 2008, PRIIA established more reforms and operational improvements along with authorizing appropriations for Amtrak capital grants, operating grants, and the Amtrak Inspector General. In the 113th Congress, the Committee reported an Amtrak reauthorization bill, H.R. 5449, the "Passenger Rail Reform and Investment Act of 2014", and in the 114th Congress, the Subcommittee plans to reintroduce the reauthorization bill and move it through the legislative process. The Subcommittee will also continue to oversee Amtrak's performance and expenditure of its Federal funding to ensure taxpayers receive a return on their investment in the corporation.
4. **Pipeline Safety Programs.** The Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 reauthorized Federal pipeline safety programs through fiscal year 2015. It provides for enhanced safety and reliability in pipeline transportation and ensures regulatory certainty, which will help create a positive environment for job development. The legislation was enacted on January 3, 2012. The Subcommittee will conduct oversight of the Office of Pipeline Safety at PHMSA regarding implementation of the Act. The Act is due to expire in September 2015, and the Subcommittee plans to reauthorize the program.

5. **Hazardous Materials Safety Programs.** The Moving Ahead for Progress in the 21st Century Act (MAP-21) reauthorized PHMSA's hazardous materials safety programs. MAP-21 secured regulatory reforms, enhanced hazardous materials safety and enforcement, improved training, data collection, and research. As PHMSA's Office of Hazardous Materials Safety continues implementation of MAP-21, the Subcommittee will conduct oversight on that progress. As that program was extended with the rest of MAP-21 during the 113th Congress and is due to expire in the 114th Congress, the Subcommittee plans to reauthorize the hazardous materials safety program at PHMSA as part of the MAP-21 reauthorization.

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 nonregulatory 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 nonregulatory approaches and water infrastructure investment.

The Subcommittee will conduct oversight of the implementation of various regulatory and permitting 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. 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, and permitting of discharges of dredged or fill materials under the CWA section 404 permit program. Oversight also will include an examination of Federal and state policies and efforts to address the presence of nutrients in waters under the CWA and other Federal statutes, science and data quality issues, and continued efforts to improve the management of combined and sanitary sewer overflows, stormwater, and nonpoint source pollution.

In addition, 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; 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 mission of the civil works program of the Army Corps of Engineers (Corps), including the selection, planning, and implementation of water resources projects; financing of harbor and inland waterways infrastructure, and utilization of large, medium, and small harbors; the backlog of uninitiated Corps construction 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, and consistent implementation of the Agency's regulatory programs, including those pertaining to wetlands (including the 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, including those that were intended to streamline the project planning and project delivery process.

Continued investments in our Nation's infrastructure will create 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.

The Subcommittee has initiated two studies to be carried out by GAO to review water storage pricing at US Army Corps of Engineers facilities, and cost recovery related to dam safety activities at US Army Corps of Engineers 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 and the process of assessing natural resources damages. In addition, the Subcommittee will review the liability, financing, and settlement mechanisms and procedures under the current Superfund program, including implementation of the Small Business Liability Relief and Brownfields Revitalization Act. This will include evaluating the need for additional liability 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 and operations in the current marketplace 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 2012 carried just over \$25 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 114th Congress may be an appropriate time to revisit TVA's debt reduction activities and variables that impact their debt reduction strategies.