



**Legislative Bulletin ..... June 26, 2012**

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**Amendments to H.R. 5972** – Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2013

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**H.R. 5972 – Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2013  
(Latham, R-IA)**

**Order of Business:** H.R. 5972 is scheduled to be considered under an open rule (H.Res. 697) that provides for one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The bill will be considered for amendment under the five-minute rule. The rule also waives Clause 2 of Rule 21, except for section 169C (regarding fuel for vehicle operations), which prevents appropriations bills from containing unauthorized appropriations or legislative provisions.

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**AMENDMENTS BEING VOTED ON THIS VOTE SERIES**

**Rep. Connolly (D-VA):** The amendment would reduce the funds for Financial Management Capital by \$5,000,000, and redirect it to National Highway Traffic Safety Administration operations and research account.

**Rep. McClintock (R-CA):** This amendment would eliminate the Essential Air Service, which provides \$1000+ per-seat subsidy for airlines to fly into small airports that lack sufficient traffic to make regular commercial flight service economic. The total result is hundreds of millions of dollars to fund mostly - and in some cases, completely - empty flights. Conservatives fought to have this program eliminated in both HR 1 and the FY12 THUD bill, only to see the program receive an 11% increase this year. Cutting this program will get the federal government out of the flight-scheduling business and save tax payers roughly \$114 million (see this [article](#)). The RSC Spending Reduction Act would eliminate the Essential Air Service Program. [Heritage Action supports the McClintock Amendment and will include it as a key vote on their scorecard.](#)

**Rep. Broun (R-GA):** The amendment reduces spending on Federal Railroad Administration, Safety and Operations by \$5.4 million. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Rep. Broun (R-GA):** The amendment reduces spending on Federal Transit Administration, Administrative Expenses by \$1.3 million. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Rep. Garrett (R-NJ):** This amendment would reduce funding to the Washington Metropolitan Area Transit Authority (WMATA) by \$150 million (eliminating all funding) and transfer the same amount to the spending reduction account. Some conservatives are concerned that the funding to WMATA as an earmark. The Passenger Rail Investment and Improvement Act of 2008 authorized \$1.5 billion over ten years for Washington Metropolitan Area Transit Authority (WMATA) capital and preventative maintenance projects. The earmark created by that legislation rewards Metro's poor performance with a large funding stream, while enabling the system to put off essential reforms. In addition, this program is a transfer of wealth from the rest of the country (median income \$48,201) to the Washington DC region (median-income \$78,978). For more information on this program, see [this](#) RSC Policy Brief.

**Rep. Broun (R-GA):** The amendment reduces spending on Pipeline and Hazardous Materials Safety, Operational Expenses by \$1.67 million. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Capps (D-CA):** The amendment increases funding for the HUD Housing Counseling Assistance program by \$10 million. It reduces funding for HUD, Management and Administration by \$10 million.

**Rep. Gosar (R-AZ):** The amendment reduces funding for the salaries and expenses for the Department of Housing and Urban Development by \$24,437,267, the immediate Office of the Secretary by \$168,491, the Office of Deputy Secretary and Chief Operations Officer by \$56,887, the Office of Hearings and Appeals by \$80,708, the Office of Small and Disadvantaged Business Utilization by \$33,255, the Office of Chief Financial Officer by \$2,246,566, the Office of General Counsel by \$4,485,961, the Office of Congressional and Intergovernmental Relations by \$113,208, the Office of Public Affairs by \$165,189, the Office of Chief Human Capital Officer by \$11,676,226, the Office of Field Policy and Management by \$2,240,575, the Office of Chief Procurement Officer by \$781,277, the Office of Departmental Equal Employment Opportunity by \$147,501, the Center for Faith-Based and Community Initiatives by \$66,227, the Office of Sustainable Housing and Communities by \$111,321, the Office of Strategic Planning and Management by \$230,378, and the Office of the Chief Information Officer by \$1,833,498. These reductions amount to a cut of 4.717%. These funds total \$24,437,268 and are transferred to the Spending Reduction Account.

## OTHER AMENDMENTS THAT MAY BE MADE IN ORDER LATER

**Rep Nadler (D-NY).** This amendment would increase the amount appropriated in several areas. It would increase the amount authorized for assistance for the provisions of tenant-based rental assistance (authorized under the U.S. Housing Act of 1937) by \$257 million, which would specifically increase the amount available for renewals of expiring section 8 tenant-based annual contributions contracts by this amount. It would increase the appropriations for administrative contract expenses of the Federal Housing Administration by \$71.5 million for the purpose of transferring this money to the Working Capital Fund. Furthermore, \$135.5 million are appropriated to the Working Capital Fund for the purposes of department-wide and program-specific technology systems. Finally it would increase appropriations for expenses related to research, evaluation, and program metrics activities, program demonstrations, and technical assistance and capacity building by \$50 million.

**Rep. Garrett (R-NJ):** This amendment would prohibit any funds from being used to promulgate, issue, establish, implement, administer, finalize, or enforce the proposed rule issued by the Secretary of Housing and Urban Development and published in the Federal Register on September 16, 2011 (76 F.R. 70921; relating to Implementation of the Fair Housing Act's Discriminatory Effects Standard).

**Rep. Gingrey (R-GA):** The amendment would prohibit any funds from being used by the Federal Housing Administration for use of the Individual Taxpayer Identification Number (ITIN) that was established by law and used for additional purposes under Internal Revenue Service (IRS) regulation. This includes usage for mortgage loans available under the FHA to ensure that an individual must use a Social Security Number for that purpose.

**Rep. McClintock (R-CA):** This amendment would eliminate the Community Development Fund (Community Development Block Grants), which funds local community development projects. Examples include decorative landscaping for sidewalks, banners and flags to hang on street lamps, community drum and step ensembles, and body imagine counseling for low-to-moderate-income individuals. This program has also been the target of conservative amendments in previous bills, but it is seeing a \$400 million (10%) increase over both FY12 and the President's request. Eliminating the program will save the taxpayers approximately \$3.44 billion.

**Rep. McClintock (R-CA):** This amendment would eliminate the Community Development Loan Guarantees, which are designed to fill funding gaps where the CDBG grants above fail to fully-fund these local projects. These loans are subsidized loan guarantees for local communities. The President requested that the subsidy be eliminated and the program be shifted to a user-premium funded model (much like a private sector credit enhancement). While the President's model would have left the taxpayers on the hook for \$500 million, it would have at least collected actuarial sound premiums and

eliminated the subsidy; instead the Appropriations Committee continues to fund the subsidy and exposes the taxpayer to another \$240 million in loans. This amendment will save \$6 million in subsidy costs this year and stop forcing the taxpayer to carry significant credit risk.

**Rep. McClintock (R-CA):** This amendment would prohibit funding from this bill from being used for the Central Subway Program in San Francisco, which many conservatives consider a poster child for government waste. The Central Subway program is a nearly \$2 billion dollar project to build roughly one mile of subway. According to its own project forecasts and the Federal Transit Administration, the new subway will never generate sufficient revenue to cover its operating and maintenance costs, let alone recoup initial capital outlays. Many conservatives believe that taxpayers should not be forced to be an investor in local programs with no federal nexus and significantly negative net present value.

**Rep. Denham (R-CA):** This amendment would prohibit funding from this bill from being used for High Speed Rail and in the state of California or for the California High Speed Rail Authority.

**Rep. Broun (R-GA):** The amendment makes the following spending reductions:

- reduces spending on expenses for the Office of the Secretary of Transportation by 3%, saving taxpayers \$3.2 million.
- reduces spending for Transportation Office of Civil Rights by 3%, saving taxpayers \$293,000.
- reduces spending for Federal Railroad Administration by 3%, saving taxpayers \$5.5 million.
- reduces spending for Federal Transit Administration (administrative expenses) by 3%, saving taxpayers \$3 million.
- reduces spending for Marine Administration (expenses and training) by 3%, saving taxpayers \$4.3 million.
- reduces spending for Maritime Guaranteed Loan program by 3%, saving taxpayers \$112,000.
- reduces spending for Pipeline and Hazardous Materials Safety Administration by 3%, saving taxpayers \$690,000.
- reduces spending for Surface Transportation Board (salaries and expenses) by 3%, saving taxpayers \$937,000.
- reduces spending for Housing and Urban Development administration expenses by 3%, saving taxpayers \$15.5 million.
- reduces spending for Public and Indian Housing, Program Office Salaries and Expenses by 3%, saving taxpayers \$6.2 million.
- reduces Community Planning and Development, program office and expenses, by 3% savings taxpayers \$3.1 million.
- reduces spending on Program Office Salaries and Expenses, housing by 3% savings taxpayers \$11.9 million.

- reduces spending on HUD, Policy Development and Research by 3% savings taxpayers \$670,000.
- reduces spending on Fair Housing and Equal Opportunity by 3% savings taxpayers \$2.2 million.
- reduces spending on Office of Healthy Homes and Lead Control by 3% saving taxpayers \$204,000.
- reduces spending for Access Board, salaries and expenses, by 3% saving taxpayers \$222,000.
- reduces spending for Federal Maritime Commission, salaries and expenses, by 3% saving taxpayers \$750,000.
- reduces spending for National Transportation Safety Board, salaries and expenses, by 3% saving taxpayers \$3 million.
- reduces spending for McKinney-Vento, by 3% saving taxpayers \$99,000.

The amendment transfers \$62 million to the Spending Reduction Account.

**Rep. Broun (R-GA):** The amendment reduces spending on expenses for the Office of the Secretary of Transportation by \$5.8 million. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Rep. Broun (R-GA):** The amendment reduces spending on HUD, Policy Development and Research by \$115,000. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Rep. Broun (R-GA):** The amendment reduces spending on HUD, Fair Housing and Equal Opportunity by \$304,000. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Rep. Broun (R-GA):** The amendment reduces spending on Federal Maritime Commission, Salaries and Expenses by \$900,000. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Rep. Broun (R-GA):** The amendment reduces spending on Public and Indian Housing, Program Office Salaries and Expenses by \$6.5 million. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Rep. Broun (R-GA):** The amendment reduces spending on Community Planning and Development, program office and expenses by \$3.5 million. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Rep. Broun (R-GA):** The amendment reduces spending on Program Office Salaries and Expenses, housing by \$5 million. This returns spending for this purpose to FY 2012 levels. The savings are transferred to the Spending Reduction Account.

**Rep. Broun (R-GA):** The amendment reduces funding for the Public Housing Capital Fund Program by \$110,000,000 and transfers this amount to the Spending Reduction Account. Funding for this program is currently set at \$1,985,000,000.

**Rep. Broun (R-GA):** The amendment reduces funding for the Public Housing Capital Fund Program by \$11,000,000 and transfers this amount to the Spending Reduction Account. Funding for this program is currently set at \$1,985,000,000.

**Rep. Broun (R-GA):** The amendment reduces funding for the Public Housing Operating Fund by \$562,150,000 and transfers this amount to the Spending Reduction Account. Funding for this program is currently set at \$4,524,000,000.

**Rep. Broun (R-GA):** The amendment reduces funding for the Public Housing Operating Fund by \$56,215,000 and transfers this amount to the Spending Reduction Account. Funding for this program is currently set at \$4,524,000,000.

**Rep. Broun (R-GA):** The amendment reduces funding for the Neighborhood Reinvestment Corporation by \$12,300,000 and transfers this amount to the Spending Reduction Account. Funding for this program is currently set at \$145,300,000.

**Rep. Chaffetz (R-UT):** The underlying bill provides \$3.34 billion for the Community Development Block Grant (CDBG) program—\$396 million or 13.5% more than last year and the President’s request. Many conservatives argue that this spending falls under the category of state, local, or non-governmental responsibilities. The RSC Spending Reduction Act proposed to eliminate the program. This amendment would return spending on this program back to last year’s level, saving taxpayers \$396 million.

**Rep. King (R-IA):** This amendment would prohibit funding from this bill from being used to implement, administer, or enforce the requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

**Rep. Gingrey (R-GA):** The amendment prohibits funding to be used by the Federal Housing Administration to carry out paragraph (1) or (3) of section 6109(a) of the Internal Revenue Code, or section 301.6109-1 of the regulations of the IRS. The amendment prevents any of the funds in this Act to be used by the Federal Housing Administration for use of the Individual Taxpayer Identification Number (ITIN) that was established by law and used for additional purposes under Internal Revenue Service (IRS) regulation. This includes usage for mortgage loans available under the FHA to ensure that an individual must use a Social Security Number for that purpose.

**Rep. Posey (R-FL).** The amendment prohibits funding to be used for the for the international highway technology scanning program, a program within the international highway transportation outreach program under section 506 of title 23, United States Code. ABC News and Citizens Against Government Waste have exposed waste in the program and have revealed that it is used as a way to send top DOT bureaucrats on taxpayer-funded trips around the world under the guise of transportation research

**Rep. Stearns (R-FL):** The amendment reduces funding for the Housing Counseling Assistance Program by \$13,000,000 and transfers this amount million to incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs.

**Rep. Stearns (R-FL):** The amendment reduces funding for the Housing Counseling Assistance Program by \$13,000,000 and transfers this amount to the Spending Reduction Account. Funding for this program is currently set at \$45,000,000.

**Rep. Sam Graves (R-MO):** This amendment would prohibit funding from this bill from being used to implement, administer, or enforce section 521 of division F of Public Law 108–199 ([Congressionally-mandated airspace restrictions](#)).

**Rep. Garrett (R-NJ):** This amendment would prohibit funding from this bill from being used to carry out subtitle B of title III of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note; 126 Stat. 72, FAA mandate to integrate unmanned aerial vehicles into national airspace ). Many conservatives believe that drones pose a threat to our Fourth Amendment rights against unreasonable searches and that funding this mandate before Congress addresses the issue of privacy is inappropriate.