



Amendments to H.R. 2577—Fiscal Year 2016 Transportation, Housing and Urban Development Appropriations (Diaz-Balart, R-FL) – Part IV

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The committee report can be found [here](#), and the text of the legislation can be found [here](#).

AMENDMENTS WITH REQUESTED VOTES:

1. **Yoho (R-FL)**: Would prohibit funds from being used in violation of current [HUD regulations](#) that restrict housing assistance for non-citizens.
2. **Brooks (R-AL)**: Would prohibit funds from being used in violation of [current law](#) that restrict housing assistance for non-citizens.
3. **Hultgren (R-IL)**: Would prohibit funds for FAA to continue its “biodata assessment” in the hiring of air traffic control specialists. The FAA recently transitioned to a new screening system for those applying for air traffic control positions that includes a personality test and is [intended to attract](#) “more minorities and women to the nation’s largely white and male controller work force in airport towers and radar facilities.” This has led to a lower percentage of graduates from FAA-approved aviation programs from being offered air traffic control positions. An investigation by [Fox Business](#) uncovered evidence that FAA employees’ may have helped applicants cheat on that test.
4. **Meehan (R-PA)**: Would attempt to require that Amtrak North East Corrido (NEC) profits are reinvested into that corridor by prohibiting federal capital subsidies from being spent off the NEC until the amount spent on projects in the corridor equals the amount of profits in the NEC.

Unlike most of Amtrak’s routes, the NEC is actually profitable and is projected to earn a profit of \$357 million in FY 2015. The bill would provide Amtrak a total of \$850 million in capital subsidies. Taxpayers have provided more than \$44 billion in subsidies to Amtrak since it was created by Congress in 1970, despite the fact it is [“legally a for-profit company”](#). The railroad service is notoriously a poor fiscal manager, losing \$60 million on food and beverage service alone in 2015.

5. **Garrett (R-NJ)**: Would prohibit funds for HUD implement [regulations](#) that apply [disparate impact theory](#). For more information on the problems with these practices, see this [Daily Caller](#) article. A similar amendment to the CJS Appropriations bill passed by a [232 – 196](#) vote.

Outside Group Support: American Bankers Association, American Financial Services Association, Community Home Lenders Association, Consumer Bankers Association, Consumer Mortgage Coalition, Council for Affordable and Rural Housing, Credit Union National Association, Housing Policy Council of

the Financial Services Roundtable, Independent Community Bankers of America, Mortgage Bankers Association, National Affordable Housing Management Association, National Apartment Association, National Association of Housing Cooperatives, National Leased Housing Association, National Multi Housing Council, U.S. Chamber of Commerce.

6. **Ellison (D-MN)**: Would prohibit funds to enter into a contract with a federal contractor that has a single violation of the [Fair Labor Standards Act \(FLSA\)](#). This law requires private employers to comply with federal minimum wage, overtime pay, and child labor standards.

Under current law, federal agencies have ability to reject a contractor who has a history of violating labor laws. Some may be concerned that this amendment would encourage frivolous lawsuits against employers and that the [GAO has reported problems](#) with the Department of Labor's guidance on the FLSA.

In 2014, the president issued an executive order to deny contracts to any company that has violated or allegedly violated various federal labor laws. In February, the Education and Workforce Committee held a joint subcommittee hearing on this executive order "[The Blacklisting Executive Order: Rewriting Federal Labor Policies Through Executive Fiat.](#)"

The [following groups](#) have urged a "NO" vote on any version of this amendment: Acquisition Reform Working Group (ARWG), American Hotel and Lodging Association (AHLA), American Trucking Associations (ATA), Associated Builders and Contractors (ABC), Associated General Contractors (AGC), HR Policy Association (HRPA), International Franchise Association (IFA), IT Alliance for Public Sector (ITAPS), National Association of Manufacturers (NAM), Professional Services Council (PSC), [Society for Human Resource Management \(SHRM\)](#), and U.S. Chamber of Commerce.

A Dear Colleague from the Committee on Education and the Workforce can be found [here](#). A similar amendment to the FY2016 CJS Appropriations bill failed by a [184 – 244](#) vote.

7. **Emmer (R-MN)**: Would prohibit Transit New Starts funds to subsidize "Enrichments". Current [regulations allow federal funding to match up to 100 percent](#) of local funding for "enrichments" such as public artwork, landscaping, and green upgrades to New Starts transit projects.

Not only are these projects for purely local transit, allowing funds for items that are not integral to the purpose of the project to be included in the local share for calculating the federal funding level encourages transit agencies to select add-ons for their projects without consideration of cost or need.

The [New Starts](#) program provides funds for the construction of local fixed-guideway public transportation systems. Often this program funds streetcar systems, such as the H Street Streetcar [boondoggle](#) in Washington, D.C. Much like other discretionary (non-formula) programs, projects are selected by the administration often for political purposes. The program "[gives transit agencies incentives to choose high-cost](#)" systems instead of more cost-effective options and "[to get as much](#) New Starts money as possible, transit agencies have planned increasingly expensive rail projects".

8. **Peters (D-CA)**: Would prohibit funds to be used in contravention of [President Obama's Executive Order](#) that prohibits discrimination based on sexual orientation and gender identity by federal contractors.

According to the [Family Research Council](#), this executive order does not include an important religious exemption. A [National Review](#) article says the Executive Order is an example of "the White House's

continued disregard for religious liberty.”

9. [Issa \(R-CA\)](#): Would prohibit funds to acquire a camera for collecting or storing vehicle license plates.

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