



## Fiscal Year 2018 Budget and Appropriations Surface Transportation Board

### FRCA POSITION

FRCA continues to support the highest annual appropriated level possible for the Surface Transportation Board (STB or Board), particularly the level needed to update and enhance the Board's information technology (IT) and data needs to better ensure transparency, consistency, timeliness, and ease of access.

For Fiscal Year (FY) 2018 FRCA advocates at a minimum, \$37.1 million (of which \$2.401 million to be directed to IT upgrades) as recommended in the President's budget released on May 24th.

### ISSUE BACKGROUND

As stated in the STB's justification document for its FY 2018 budget request, the \$37.1 million is necessary to cover the Board's overall operating costs. This is slightly more than what was provided for in the **FY 2017 Consolidated Appropriations Act**, P.L. 115-31, enacted on May 5th

The STB requires adequate resources to perform key functions, including rail rate reasonableness oversight; the processing of rail consolidations, licensing, and other restructuring proposals; and, the resolution of non-rail matters. The budget request includes funding to implement extensive upgrades to the STB's information technology (IT) infrastructure and capabilities, along with \$1.6 million to cover the planned relocation of the agency to new offices in FY 2018.

FRCA is particularly supportive of sufficient funding being set aside in the congressional appropriation for the Board to continue upgrading its IT infrastructure. For FY 2018, FRCA backs the FY 2018 Budget Request providing \$2.401 million (of the total \$37.1 million) for IT. This would allow for continued focus on migrating from Lotus Notes to Office 365, improving the STB website, and meeting Federal continuity of government requirements for COOP (Contingency of Operations Planning). FRCA support letters sent to the Capitol Hill can be found here: <https://railvoices.org/wp-content/uploads/FRCA-Supports-FY-18-37.1M-for-STB-SenateTHUD-FINAL.pdf> and <https://railvoices.org/wp-content/uploads/FRCA-House-THUD-FY-18-STB-FINAL.pdf>

The Board also intends to continue its effort to develop a case management solution. This not only essential to providing basic case management capabilities but also needed to automate manual processes, reduce duplicative efforts and data entry, improve timeliness of rate and other case processing, and enhance website navigation and search functions for stakeholders. As with all IT systems, solutions developed since FY 2015 will require support and maintenance in future years.

## **STATUS**

Senate: On July 27th, the full Senate Appropriations Committee approved, as amended, S. 1655 (S. Rpt. 115-138), providing funding for the U.S. Department of Transportation (USDOT) and the Department of Housing and Urban Development (HUD). This measure was previously approved by the Transportation and Housing and Urban Affairs (THUD) Appropriations Subcommittee on July 25th.

This bill includes the \$37.1 million for the STB. Although the accompanying report language is silent on any directed spending, THUD subcommittee staff relayed confidence that the STB will continue upgrading its IT system and spend the monies to do so as presented in its budget justification submission. No report language is needed.

There is report language Senate Appropriations Committee-passed includes report language expressing concerns over STB delays in pending proceedings and encourages full complement of Board Members to be expeditiously nominated/confirmed and to provide a timely, efficient and decisive regulatory process.

This wording mirrors the July 11th joint FRCA-WCTL (Western Coal Traffic League) letter sent to the Senate Commerce Committee asking that it: urge the Trump Administration to nominate two qualified individuals as soon as possible; move the confirmation process as expeditiously as possible; and, request the STB to move forward on Major Proceedings in the meantime. The FRCA-WCTL letter can be accessed via: <https://railvoices.org/wp-content/uploads/FRCA-WCTL-STB-Delay-Letter-FINAL.pdf>

House: On September 14, after merging H.R. 3354 with H.R. 3219, H. Rpt. 115-219 (a previously passed "Security Bus" containing four separate appropriation bills), the House approved H.R. 3354 or "Omnibus". It contains all 12 separate FY 2018 appropriation bills.

On July 17, the House Appropriations Committee approved, as amended, H.R. 3353 (H.RPT 115-237), providing Fiscal Year (FY) 2018 funding for USDOT and HUD. The legislation, along with seven other FY 2018 appropriation bills, was merged into a "Minibus" bill H.R. 3354, Make America Secure and Prosperous Appropriations Act. This bill includes the \$37.1 million for the STB.

As with the Senate Appropriations Committee-passed measure, the accompanying report language to H.R. 3353 is silent on any directed spending. This package was previously approved by the Transportation and Housing and Urban Affairs (THUD) Appropriations Subcommittee on July 10th.

Administration: On September 8, President Trump signed into law a Continuing Resolution (CR), P.L. 115-56, funding the Federal government at basically FY 2017 levels, providing emergency hurricane relief, and suspending the debt limit to December 9.

On May 24th President Donald Trump released the Administration's FY 2018 Budget which includes recommending funding for the STB at \$37.1 million: <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/budget/fy2018/oia.pdf>

The STB justification document for the FY 2018 Budget Request, including the \$37.1 million (of which \$2.401 million to be directed to IT upgrades): <https://www.stb.gov/stb/docs/Budget/STB%20FY%202018%20Budget.pdf>

FRCA's press release praising the President's budget can be found here: <https://railvoices.org/frca-praises-trump-administration-budget-request-for-stb/>

Next Steps: The Senate Appropriations Committee continues its work on the handful of remaining measures that have yet to be approved by the full Committee. It is doubtful that the Senate will consider H.R. 3354, the Omnibus, because it violates previously determined spending caps by increasing military spending and reducing domestic spending. The House and Senate now have until December 22 to complete work on their FY 2018 appropriations bills. The new FY 2018 began October 1st.

#### **Refer to Following Side-by-Side**