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Transit Security Funding Vaults to Top of Congressional Agenda in Wake of London Transit Bombings

As Congress reconvenes following the Independence Day recess, federal funding to help secure the nation's public transit systems is expected to dominate the Congressional agenda in response to recent terrorist attacks on London's public transportation system.

The Senate immediately begins debate on the Fiscal Year 2006 Department of Homeland Security Appropriations Act, legislation (H.R. 2360) which funds homeland security investments for the upcoming federal fiscal year, beginning October 1.

The bill now before the Senate seems particularly out of sync with present day realities, since funding commitments to transit security are being reduced, from current spending of $150 million to $100 million in the new fiscal year. The Senate Appropriations Committee recommended this reduction, even though total spending in the bill is being increased by $1.4 billion above what Congress approved last year.

During debate on H.R. 2360, numerous Senators are expected to press for higher funding to help the nation's public transportation providers address unmet security needs. One such amendment, to be offered by Senators Richard Shelby (R-AL) and Paul Sarbanes (D-MD), the top leaders of the Senate Banking Committee with jurisdiction over public transportation, will seek to raise transit security funding to $1.166 billion in FY'06.

The Shelby/Sarbanes amendment follows the three-year, $3.5 billion funding commitment set forth in the "Public Transportation Terrorism Prevention Act of 2004" (S. 2884), which was approved by the Senate during the 108th Congress.

In its survey of transit providers, the American Public Transportation Association found that a $6 billion federal commitment is needed to support transit security improvements by the hundreds of transit systems throughout the nation. These needs are exclusive of Amtrak's security needs.

It is now understood that transit security has been given short shrift in federal spending priorities for homeland security. In comparison to air travel, for example, the federal government is now expending more than $8 per passenger on security-related investments as compared to about one penny per passenger on the nation's public transit systems.

Undeniably, the destruction wrought on the London transit system and the 2004 attack on Madrid's commuter rail system have exposed the misalignment of U.S. spending priorities on homeland security, especially the relatively small commitments to public transit security.

Congress Approves Eighth TEA-21 Extension

On July 1, President Bush signed legislation (H.R. 3104) extending the nation's surface transportation law for 19 more days; it is the eighth time the TEA-21 law has been extended.

Congressional leaders hope the July 19 expiration date will keep pressure on House and Senate conferees to reach a prompt agreement on a multi-year authorization bill.

Under the new extension, eighty percent of the guaranteed funding previously approved by Congress is now available to states, local agencies and transit providers, largely following current law provisions. This means that state DOTs have access to eighty percent of their apportioned program funds and obligation limitation, with transit providers allowed to spend eighty percent of their formula funds.

While transportation leaders want this to be the last program extension, it is still unlikelyCongress will complete action on a final bill by July 19, making some additional extension bill necessary, if only to provide continued funding for staff positions and other functions at the U.S. Department of Transportation.

Conferees Approve Framework to Guide Negotiations on TEA-21 Renewal Plan

House and Senate conferees working on TEA-21 renewal met just before the recess, approving a tentative framework to guide staff work on the financial details of the legislation.

Conferees instructed committee staff to develop an initial agreement based on total funding of $286.4 billion, although it remains uncertain where the Bush Administration stands on this level, which exceeds its $284 billion spending request.

The agreement also calls for a $52.6 billion commitment to transit programs over the six years of the legislation, a share that more closely follows the higher levels provided in the House bill.

To help guide staff in developing scenarios for allocating highway funds among the states, the conferees approved a framework calling for a minimum rate of return to the states of 92 percent, an increase over the current law's 90.5 percent. In addition, the

92 percent guarantee applies to a 90.2 percent program “scope” (i.e. share of total highway dollars that are subject to the minimum guarantee return). Importantly, the 90.2 percent scope is below what the Senate bill had provided and TEA-21's authorized levels, but it is higher than what the House bill provided.

It is also reported that $16 billion in funding for high priority projects will be divided between the House and Senate, with 60 percent for House Member projects and 40 percent for Senate projects. These project funds are expected to count against each state’s share in calculating the minimum return to states.

The agreement apparently includes a $6 billion commitment to another project category (i.e. projects of national and regional significance) to be divided evenly between House and Senate projects. These dollars, for now, are excluded from minimum guarantee calculations.

House provisions to reopen the legislation next year in order to add resources for the donor/donee issue have apparently been set aside, although House Transportation Chairman Don Young (R-AK) supports including this “reopener” in the bill.

To help conferees begin to move toward consensus on the bill’s funding levels, staff has been directed to start developing computer runs to show how highway dollars would be distributed among the states under these and other assumptions in the bill.

On other issues of interest, staff is working through the various issues of disagreement in the two bills, of which there are many, in an attempt to reach a timely consensus for final action this month. Among these are revisions to NEPA procedures and the planning process, the timing and inputs to conformity analyses under the Clean Air Act, standards to guide “de minimis” determinations under Section 4(f), resources for stormwater improvements on the Federal Aid System and funding commitments to various pedestrian and bicycle safety initiatives and metropolitan planning organizations.

House of Representatives Strongly Affirms Support for Amtrak Funding

During floor action on the FY’06 Transportation-Treasury Appropriations bill, House Members strongly affirmed their support for continued funding of the nation’s intercity passenger rail system.

In a bipartisan effort, led by Representatives Steven LaTourette (R-OH) and James Oberstar (D-MN), the full House rejected a Committee-approved funding level that would have dismantled Amtrak.

Following a vigorous debate, the House voted to restore Amtrak’s funding to its continuing current level funding of about $1.2 billion, rejecting the Committee-approved level of $550 million. Before the vote, Amtrak President and CEO David Gunn wrote to House Members, indicating that at the $550 million funding level Amtrak "would have no choice but to begin an orderly shut down of the railroad."

In action on two other amendments, the House affirmed their support for a nationwide route structure and rejected an attempt to reduce Amtrak's funding below current spending levels.

Representatives Corinne Brown (D-FL), Nick Rahall (D-WV) and Robert Menendez (D-NJ) sponsored an amendment to eliminate a committee-passed prohibition against spending federal funds on most long-distance routes, as well as the Chicago-Detroit, Chicago-Indianapolis and New York-Charlotte routes. The effect of the amendment would have been the elimination of all Amtrak service in about one-half of the states. The House voted 269-152 in support of the amendment, striking the Committee's instructions to delete these routes.

An amendment by Representative Mark Kennedy (R-MN) that sought to transfer $100 million from Amtrak to another program purpose outside of the transportation area was defeated 59-362.

"It is unfortunate that Amtrak must continually operate under the threat of shutdown at the end of the fiscal year. However, we are lucky to have leaders like Reps. LaTourette, Oberstar, Brown, Rahall and Menendez who understand both the importance of keeping Amtrak running and how close we are to losing the entire system," said Ross B. Capon, Executive Director of the National Association of Railroad Passengers, in a statement following the House action.

A diverse coalition of interests, including STPP and its many partners organizations, joined together to affirm support for Amtrak's funding needs, opposing the Committee's proposed funding and route restrictions, which would have effectively terminated the nation's intercity passenger rail system.

On July 19, the Senate Appropriations Subcommittee – Subcommittee on Transportation, Treasury, the Judiciary, Housing and Urban Development, and Related Agencies--is expected to take action on its version of the Transportation-Treasury Appropriations bill, to be followed by a July 21 markup by the full Senate Appropriations Committee. The Senate Appropriations Committee is generally more receptive and supportive of Amtrak's funding needs.

Driven to Spend Report Features Effects of Rising Transportation Costs on Families, Regions

On June 14, STPP with the Center for Neighborhood Technology (CNT) released its updated transportation costs study, *Driven to Spend: Pumping Dollars out of Our Households and Communities*, showing how families and regions are paying a high price to meet their transportation needs, especially families in areas with fewer transportation choices.

In addition to updating earlier transportation cost studies published by STPP and CNT, this report estimates the effect of recent gas prices on family budgets in the 28 metropolitan areas in the study, showing the money households and regional economies are "leaking" as a result of higher gas costs. Specifically, costs to families in the Los Angeles metro area, followed by the Kansas City area, lead the nation.

For total transportation costs, families in the Houston (TX) metropolitan area have the highest overall transportation expenditures at 20.9 percent, followed by the Cleveland (OH) and Detroit (MI) metro areas at 20.5 percent, Tampa (FL) at 20.4 percent, and Kansas City (MO) at 20.2 percent.

The national average of household transportation costs was 19.1 percent, making 2003 the second highest year for transportation costs in the last twenty years, just slightly below the record set in 2002 at 19.2 percent.

The report shows how households in regions that have invested in public transportation reap financial benefits from having affordable transportation options, even as gasoline prices rise, and that low-income families are particularly affected by higher transportation costs, claiming a higher share of their family budgets.

"We have an opportunity to use the power of this nearly $300 billion federal commitment to help families and local economies by providing more transportation choices," said Anne E. Canby, STPP's President. The report specifically includes recommendations to the Congress on the TEA-21 renewal legislation and to state and local decision-makers on steps they should consider in implementing any new legislation.

"Transportation is one area where we can do something to help families and regions spend less, but it depends on transportation officials making wiser use of flexible federal dollars to provide less costly alternatives to automobile travel," said Scott Bernstein, President of the Center for Neighborhood Technology.

Importantly, over the last few weeks since the study was released, gas prices have moved even higher, well above levels analyzed in the study. As such, the estimates of financial impacts on families and regions noted in the report now understate considerably what is actually occurring in the nation.

The study can be found at – www.transact.org

Minneapolis-St. Paul Hosts 2005 TrailLink Conference

TrailLink 2005, Rails-to-Trails Conservancy's international trails and greenways conference, will be held July 27-30 in Minneapolis/St. Paul where hundreds of trail professionals, activists, community planners, and government officials will assemble for sessions, roundtables, mobile workshops and special events.

The conference tracks are: Policy & Legal, Making the Case, Linking with Health, Regional Systems, and Design & Management. Special guests include Jean Marie Tetart, chairman of the European Greenways Alliance and Rep. Martin Olav Sabo, who will receive a rail-trail achievement award, and Rep. James Oberstar, who is expected to give conference attendees the first look at the final agreement on the new federal surface transportation legislation, which should be enacted by then or certainly on its way to the President for his signature.

Further information and registration details can be found at:
http://www.railtrails.org/traillink2005/

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