



Transfer

Surface Transportation Policy Project's Electronic Update

IN THIS ISSUE

- [Senate TEA-21 Conferees Press House to Adopt \\$318 Billion Funding Level](#)
- [White House, House Republican Leadership Oppose Senate Funding Level](#)
- [Administration Signals Opposition to Certain Environmental Provisions](#)
- [Seeks Further Weakening of Section 4\(f\) Standard](#)
- [Conferees Approve 50+ Non-Controversial Items in June](#)
- [Congress Extends TEA-21 until End of July](#)
- [EPA Lists Local Areas Failing New PM 2.5 Standard](#)
- [Transit Growing in Smaller Communities in the South and West](#)
- [New Rail Connection Coming to Milwaukee Airport](#)

[Subscribe to Transfer](#)
[Transfer Archives](#)

July 1, 2004; Volume X, Issue 7

Senate TEA-21 Conferees Press House to Adopt \$318 Billion Funding Level

House and Senate conferees working on a TEA-21 renewal plan met for the second time June 23, where Senators voted 17-1 to offer the Senate's \$318 billion funding level to their House counterparts. The Senate action was intended to prompt a conference committee agreement on surface transportation funding over the six-year renewal period.



After voting to officially convey the Senate offer, Conference Chair and Oklahoma Senator Jim Inhofe immediately advised the House conferees that the conference committee would meet July 7, when the House conferees would be expected to act on the Senate's funding offer. This third meeting of the conferees, occurring just after Congress returns from the Independence Day Holiday, is now believed to be the key milestone in the process. If the conferees can agree on a funding level, the conferees are expected to continue working on a six-year bill. Absent an agreement, it is likely the conferees will abandon their efforts this year and move to extend TEA-21 into next year.

White House, House Republican Leadership Oppose Senate Funding Level

While several House transportation committee leaders welcomed the Senate's offer, other conferees, House leaders and the White House have lined up against the \$318 billion level. After receiving the Senate's offer, Ways and Means Committee Chair Bill Thomas urged his colleagues to "compare the transportation and jobs bills (pending corporate tax bill)", pointing out that "there is \$49 billion worth of duplication in the two bills." He then added that "if we do the transportation bill, there won't be any money for the jobs bill."

House Majority Leader Tom DeLay weighed in on the Senate's offer, issuing a strong statement critical of the \$318 billion level. "Instead of creating a fiscally responsible highway bill, the Senate is using it as a slush fund to rob other programs and raise taxes. It's not going to happen," DeLay said. House Speaker Dennis Hastert remains steadfast in his commitment to bring a bill to the House that the President can sign.

The Administration again underscored its request for a \$256 billion funding level in a letter from Transportation Secretary Norm Mineta to the conferees just before the June 23 meeting.

Administration Signals Opposition to Certain Environmental Provisions, Seeks Further Weakening of Section 4(f) Standard

Among its recommendations on provisions in the pending TEA-21 renewal bills, the Administration signaled opposition to a number of proposals undermining current NEPA protections for non-transportation interests, most notably resources agencies, and how their responsibilities and roles are threatened by pending proposals, particularly provisions in the Senate-passed bill. To view Secretary Mineta's letter, go to <http://www.transact.org/transfer/pdfs/Inhofe.pdf> and for its enclosure visit <http://www.transact.org/transfer/pdfs/enclosure.pdf>.

The Administration also renewed its request for more dramatic changes to current law protections for historic, park, refuge and other resources under Section 4(f). Congress has largely rejected the Administration's broad-based attack on this standard, but the Senate proposal, while providing reasonable protections for historic resources, substantially threatens current Section 4(f) protections for other resources.

Responding to pending Congressional proposals on Section 4(f), a broad coalition of national and state park and recreation associations as well as national transportation and environmental organizations recently wrote to the conferees, urging support for House-passed provisions affecting Section 4(f) protections for non-historic resources. To view this letter, go to – <http://www.transact.org/transfer/pdfs/4fletter.pdf>

Conferees Approve 50+ Non-Controversial Items in June

In their first two conference committee meetings on June 9 and 23, Conferees approved staff recommendations covering more than 50 non-controversial items. Staff negotiations are continuing to prepare another package of staff recommendations for the upcoming July 7 meeting. However, the significant policy issues before the conferees can not really be addressed without some agreement on the funding levels, since so many of the issues are connected directly or indirectly to funding commitments, both the overall funding level and allocations to specific programs and initiatives.

Congress Extends TEA-21 until End of July

Before recessing for the Independence Day Holiday, the House and Senate June 23 approved legislation extending the TEA-21 law for a fourth time, sending the legislation (H.R. 4635) to President Bush who signed the bill. H.R. 4635 simply extends the June 30 expiration deadline through the end of July. The purpose of the one-month extension is to give conferees who are working to reconcile the House (H.R. 3550) and Senate (S. 1072) bills added time to reach an agreement.

EPA Lists Local Areas Failing New PM 2.5 Standard

On June 29, U.S. EPA identified 243 counties as potentially failing to meet new health-based standards for fine particulate matter (PM 2.5) or soot. Those 243 counties are home to nearly 100 million people, representing about 35 percent of the nation's population. The potentially failing counties are clustered in the mid- and south-Atlantic, the south, the upper Midwest, and California. Several states had half or more of their population living in potentially failing counties, including the District of Columbia (100%), Maryland (87%), New Jersey (82%), Ohio (77%), Illinois (71%), Pennsylvania (69%), California (65%), New York (65%), Delaware (63%), Georgia (62%), West Virginia (52%), and Connecticut (50%).

EPA's list of potentially failing counties was provided in response to state recommendations made in mid-February of this year. At that time, states recommended that only 141 counties be classified as nonattainment for the PM 2.5 standard. EPA's response expands that list by fully 72 percent, largely through the addition of suburban and rural counties adjacent to the major urban center recommended by the states. States will now have 120 days to review and respond to EPA's modifications to their nonattainment recommendations. Final designations will be made by EPA in November of this year.

PM 2.5 exposure has very serious health effects. Studies have found a link between PM 2.5 exposure and premature mortality, aggravation of respiratory and cardiovascular disease, lung disease, diminished lung function, asthma attacks, and heart attacks. EPA first issued National Ambient Air Quality Standards (NAAQS) for PM 2.5 in July 1997. The implementation of these standards was delayed by legal challenges. In 2002, the D.C. Circuit Court of Appeals opened the way for PM 2.5 standards implementation by rejecting all remaining legal challenges.

Under both the House and Senate reauthorization proposals (H.R. 3550 and S. 1072), areas out of attainment for PM 2.5 will be eligible for CMAQ funding. Both proposals address the seriousness of the pollutant by giving PM 2.5 nonattainment counties a population weighting factor of 1.2.

For more information on PM 2.5 nonattainment, visit <http://www.epa.gov/pmdesignations/>

Transit Growing in Smaller Communities in the South and West

A new analysis by NRDC (Natural Resources Defense Council) and the Surface Transportation Policy Project (STPP) finds that over the last five years, mid-size urban areas in the South and West have been making significant investments in public transportation, such as light rail and buses. This growing commitment to provide more transportation choices has been advanced by federal transportation funding provided in TEA-21.

The NRDC-STPP analysis documents how federal transit spending

benefits every region of the nation and supports state, regional and local efforts in mid-size urban areas to broaden transportation options. Many cities investing the most in public transit are in the South and West, such as Salt Lake City, Austin and Durham, North Carolina. And more than half of the mid-sized metropolitan areas examined (27 of 51) used federal funds for 20 percent or more of their transit budgets from 1998 to 2001.

This commitment to public transportation is paying off, with ridership growing by more than 7 percent in the 51 urban areas with populations greater than 100,000 and less than 1 million. Ridership has grown nearly 5 percent in Salt Lake City, more than 12 percent in Austin, and almost 20 percent in Durham, from 1998 to 2001. To read the full analysis, go to www.nrdc.org/air/transportation/pfunding.asp

New Rail Connection Coming to Milwaukee Airport

Federal and state officials, led by Wisconsin Senator Herb Kohl and Governor Jim Doyle, broke ground this week on a new passenger rail station at Milwaukee's Mitchell International Airport, a new facility that will connect the airport and Amtrak's line serving Chicago and Milwaukee.

The \$6.5 million project will facilitate travel to and from the state's largest airport for passengers traveling on the Hiawatha line that now provides seven daily round trips between Chicago and Milwaukee, a route that boasts the best on-time performance on Amtrak's system.

"Along with providing air and rail passengers a convenient travel connection, this new station represents another component of my Grow Wisconsin plan to support economic development and job growth," Governor Doyle said.

The Mitchell Airport project is another recent example of the growing interest throughout the nation in seeking better connections between airports and intercity passenger rail services.

surface transportation
policy project

Transfer is written and edited by the staff of the Surface Transportation Policy Project. Readers are invited to reprint newsletter items; proper citation is appreciated. If you are not currently subscribed, please visit <http://www.transact.org/transfer/sign.asp>. Be sure to include your full mailing address and name of your organization, phone and fax numbers. For comments and suggestions about Transfer's content, e-mail us at transfer@transact.org.

