

# CONNECTIONS

The Newsletter of the NATIONAL TRANSPORTATION ENHANCEMENTS CLEARINGHOUSE

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## Congress Debates ISTEA Reauthorization

Hearings, budget votes, and the introduction of more than seven bills are all indications of the increasing attention ISTEA reauthorization is getting in Congress this spring. The debate has centered around three primary issues: total funding levels, how the money should be divided among the states, and the structure of federal transportation programs.

Total funding for transportation is largely a budget issue. Congress is struggling over whether to spend down the Highway Trust Fund which contains unspent balances of \$22 billion, or live with only modest increases in transportation spending in order to achieve a balanced federal budget.

The question of formulas and “donor/donee” imbalances among the states is the focus of many of the bills introduced thus far, including two STEP-21 bills, the Highway Trust Fund Fairness Act and S331, a bill from Senators in mountain and upper plains states.

Finally, there is the question of the programmatic structure of ISTEA. Should the ISTEA approach be continued with minor improvements, giving the Act more time to realize its new and visionary national goals? Or, should Congress minimize the role of federally established goals and programs and give most of the money to the states with even less direction from Washington?

How do these proposals impact the Transportation Enhancements (TE) program? The answer is—it varies widely. The House STEP-21 program would eliminate the TE set-aside, but retain Transportation Enhancement Activities as eligible projects for Surface Transportation Program funding. The House ISTEA Works bill would retain the 10 percent TE set-aside and bump up funding to approximately \$750 million a year. Enhancements funding under ISTEA has averaged \$430 million annually (see box at right).

For a snapshot of the six leading bills, see our inside spread on pages 2 and 3. Our text and diagram also chart the *trail* ahead for the reauthorization process.

## A Message from Washington...

by Harold E. Peaks

“Put People First.” These are words that you have heard like a mantra from Federal transportation officials over the last few years—from the speeches of Acting Administrator Jane Garvey to the President’s announcement of NEXTEA, from the Congressional Testimony of Secretary Rodney Slater, to his presentations before community groups all across America. FHWA and USDOT are firmly committed to the view that transportation is about moving people and goods, not just vehicles.

FHWA views Transportation Enhancements Activities as one of the Agency’s primary ways to help ensure we are *putting people first*. Given their human-scale and close relationship to the communities in which they are located, TE projects are often the setting where people and transportation technology come together.

And putting people first does not mean putting the natural environment second. The goal is to provide an appropriate balance in considering social, economic and environmental issues in Federally-aided programs and projects.

Transportation Enhancement Activities should not be viewed merely as isolated projects. Where possible, they should be integral parts of larger community

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### Facts About ISTEA of 1991

- Provided ~\$20.6 billion annually in highway spending for 6 years, FY 92-FY 97.
- Provided ~\$430 million annually for Transportation Enhancements Activities (TEAs).
- Dedicated for TEAs—10% of the Surface Transportation Program (STP) and 5% of three equity Programs (Hold Harmless, 90% of Payments, Interstate Reimbursements).

# TEA Brews in Washington: Under

## Senate

### ISTEA Works

**Bill Name:** ISTEAs Reauthorization Act of 1997  
**Bill Number:** S 586  
**Major Sponsors:** Chafee (R-RI), Moynihan (D-NY)  
**Total Co-Sponsors:** 34  
**Impact on TEP:** Retains Transportation Enhancements Program (TEP) as a 10% set-aside of Surface Transportation Program (STP).  
**TEP Spending:** ~\$661 million annually  
**Total Spending:** ~\$26.4 billion annually

### STEP - 21

**Bill Name:** ISTEAs Integrity Restoration Act  
**Bill Number:** S 335  
**Major Sponsors:** Warner (R-VA), Graham (D-FL)  
**Total Co-Sponsors:** 25  
**Impact on TEP:** Eliminates Transportation Enhancements Program as a 10% set-aside of STP; replaced with formula below.  
**TEP Spending:** The annual level of TEP funding would be indexed to the ratio of yearly post-ISTEA highway allocations to FY 1995 highway allocations.  
**Total Spending:** ~\$26 billion annually

### STARS 2000

**Bill Name:** Surface Transportation Authorization and Regulatory Streamlining Act  
**Bill Number:** S 532  
**Major Sponsors:** Baucus (D-MT), Kempthorne (R-ID)  
**Total Co-Sponsors:** 16  
**Impact on TEP:** Retains Transportation Enhancements Program as a 5% set-aside of the STP, which is doubled in size from ISTEAs levels.  
**TEP Spending:** ~\$463 million annually  
**Total Spending:** ~\$27 billion annually

### Environment & Public Works Committee

*Transportation & Infrastructure Subcommittee*

- **John Chafee** (R-RI), Chair
  - **Max Baucus** (D-MT), Ranking Democrat
  - **John Warner** (R-VA), Subcommittee Chair
  - **Daniel P. Moynihan** (D-NY), 2nd Ranking Democrat
- 10 Republican Committee Members  
8 Democratic Committee Members

Three primary bills (and NEXTEA) have been introduced in the Senate (see left and below). Under the Committee Chair's leadership a bill will be drafted for subcommittee and committee mark-up, which is expected in June or July.

Upon adoption by a vote of the full Senate (as early as July), the Senate proposal for reauthorizing federal transportation law will likely end up in a Conference Committee if it differs significantly from the bill adopted by the House.

### Conference

The Conference Committee is made up of members that have jurisdiction over the areas encompassed by the House and Democratic leadership and others.

The Conference Committee must negotiate a compromise by each chamber. Conference action is expected in

### Transportation

In late September (October if Congress adjourns) the House and Senate will each be asked to pass their respective bills. Upon passage in both chambers it will be signed into law. A veto of transportation

### NEXTEA (Administration)

**Bill Name:** National Economic Crossroads  
**Bill Number:** S 468, HR 1268  
**Major Sponsors:** Introduced by Committee leadership  
**Total Co-Sponsors:** Senate — 2 / House — 4  
**Impact on TEP:** Retains Transportation Enhancements Program  
**TEP Spending:** ~\$620 million annually  
**Total Spending:** ~\$23 billion annually

# Understanding ISTEA Reauthorization

## House

### Transportation & Infrastructure Committee

Surface Transportation Subcommittee

- **Bud Shuster** (R-PA), Chair
  - **James Oberstar** (D-MN), Ranking Democrat
  - **Thomas Petri** (R-WI), Subcommittee Chair
  - **Nick Joe Rahall** (D-WV), Ranking Democrat
- 40 Republican Committee Members  
33 Democratic Committee Members

Three primary bills (and NEXTEA) have been introduced in the House (see right and below). Under the Committee Chair's leadership, the "big four" will forge a draft bill for subcommittee and committee mark-up, which is expected in July or August.

Upon adoption by a vote of the full House (in August or September), the House proposal for reauthorizing federal transportation law is likely to end up in a Conference Committee if it differs significantly from the bill adopted by the Senate.

### ISTEA Works

Bill Name: ISTEA Reauthorization Act of 1997  
Bill Number: HR 1609  
Major Sponsors: Molinari (R-NY)  
Total Co-Sponsors: 44  
Impact on TEP: Retains Transportation Enhancements Program (TEP) as a 10% set-aside of Surface Transportation Program (STP).  
TEP Spending: ~\$750 million annually  
Total Spending: ~\$26 billion annually

### STEP - 21

Bill Name: ISTEA Integrity Restoration Act  
Bill Number: HR 674  
Major Sponsors: DeLay (R-TX), Condit (D-CA)  
Total Co-Sponsors: 109  
Impact on TEP: TEP is eliminated as a set-aside; TEA-type projects become 'eligible activities' under the STP.  
TEP Spending: \$0; Annual funding levels determined by each state.  
Total Spending: ~\$23 billion annually

### Formula Revision

Bill Name: Highway Trust Fund Fairness Act  
Bill Number: HR 907  
Major Sponsors: Sanford (R-SC), Clement (D-TN)  
Total Co-Sponsors: 60  
Impact on TEP: Retains TEP as a 10% STP set-aside.  
TEP Spending: Annual levels similar to ISTEA.  
Total Spending: Does not address funding levels.

### Conference Committee

Members from both the Senate and House committees will meet to negotiate a compromise of any differences in the bills approved by the bill, including the committees' Republican and Democratic members.

A final compromise of any differences in the bills approved by the bill, including the committees' Republican and Democratic members, is expected in September.

### Final Bill Becomes Law

Once Congress gets behind schedule) the bill will be sent to the President for signature. If no legislation is possible, but unlikely.

### ISTEA (Bill)

ISTEA (Intermodal Surface Transportation Efficiency Act of 1997)

Leadership in both House & Senate as a courtesy.

Retains Transportation Enhancements Program as a 10% set-aside of the STP.

Counts of bill Co-Sponsors are current to May 22, 1997. Total Spending figures do not include spending for FTA transit programs.

**For the latest information about ISTEA reauthorization, visit the World Wide Web:**

General information: <http://www.fhwa.dot.gov>

Advocacy: <http://www.istea.org>

Copies of bills:

<http://thomas.loc.gov/bssd105query.html>

## National Transportation Enhancements Clearinghouse

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## New Historic Preservation Agreement Empowers State DOTs

On May 1, Acting FHWA Administrator Jane Garvey and the Chair of the Advisory Council on Historic Preservation (ACHP) signed the Nationwide Programmatic Agreement on historic preservation for the Transportation Enhancements Program.

The agreement offers State DOTs a framework for simplifying the historic preservation review process (Section 106) by encouraging DOT staff to work closely with the State Historic Preservation Officer (SHPO) and FHWA, and involve the ACHP *only* when the parties disagree. It also expedites the current process by reducing the time allotted for SHPO review periods.

States that execute the Programmatic Agreement (PA) can eliminate the ACHP layer of review for TE projects that involve historic resources on, or eligible for, the National Register of Historic Places.

Prior to adoption of the nationwide PA, fourteen states had executed programmatic agreements for Section 106 reviews.

Section 106 of the National Historic Preservation Act sets out a review process designed to protect cultural and historic resources involved in, or affected by federally-funded actions, including TE projects.

To further streamline the TE Program, a nationwide Programmatic Agreement was called for in the National Highway System Designation Act of 1995.

For a copy of the Programmatic Agreement, contact the Clearinghouse. For further information about the PA or the Section 106 process, contact Mr. Bruce Eberle at FHWA, 202-366-2060.

## Message from Washington...

(continued from page 1)

efforts to improve mobility, revitalize neighborhoods, expand recreational opportunities, and preserve important community values.

The message that the FHWA wants to underscore is that an interdisciplinary and partnership approach to transportation planning and investments is the best way to maximize the community benefits of TE projects.

While this edition of *Connections* focuses on the many Congressional bills offered in the debate surrounding ISTEA reauthorization, regardless of the outcome, our customers should rest assured that FHWA has endorsed the concept of *putting people first* through environmental programs and community preservation.

