

# THE LEGISLATIVE SERVICES GROUP'S

## *Transportation Weekly*

MONITORING AND ANALYZING DEVELOPMENTS IN FEDERAL TRANSPORTATION AND PUBLIC WORKS POLICY

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### *Legislative Schedules* *Week of December 7, 2009*

#### House

**Wednesday** — meets at 10 a.m. — H.R. 4213, tax extenders; begin consideration of H.R. 4173 (financial regulation reform); and 6 rolled suspension votes.

**Thursday and the balance of the week** — meets at 10 a.m. (9 a.m. Friday) — conference report to accompany H.R. 3288 (omnibus appropriations) and complete consideration of H.R. 4173.

#### Senate

The Senate will convene at 9:30 a.m. and resume consideration of H.R. 3590, health care reform.

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## Conferees Agree on \$77 Billion FY10 DOT Budget No Infrastructure Bank Provision; \$2.5 Billion For High-Speed Rail Conference Report Should Be Voted On By House of Representatives On Thursday

Yesterday evening, House and Senate negotiators agreed on a final conference report version of the fiscal year 2010 appropriations bill for the U.S. Department of Transportation, the Department of Housing and Urban Development, and other agencies.

The bill (H.R. 3288) was also used to carry five other unfinished appropriations measures in what is now called the Consolidated Appropriations Act. The conference report is House Report 111-366 and the text is available for perusal on the House Rules Committee website (follow link on page 15 of this issue).

The Rules Committee will likely meet later today to grant a rule waiving points of order against the conference report, which would allow the full House to vote on the conference report as early as tomorrow.

The conference report is noteworthy for what it does not contain — no extraneous measures not related to the FY 2010 appropriations bills. There is no extension of the continuing resolution in the conference report. There is still time for the Senate to pass, and the President to sign, this conference report before the expiration of the current CR on December 18,

but this sets up a high-stakes game of chicken with the last appropriations bill (Defense) which will carry other extraneous matters like the debt ceiling increase and (possibly) a second stimulus bill.

The USDOT provisions of the conference report give a total of \$76.96 billion in gross budgetary resources to DOT in fiscal 2010, 5.1 percent above the budget request and a 7.5 percent increase over the FY 2009 level once stimulus spending is subtracted from last year's totals.

There are a few major discrepancies between the conference report and the

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## House Leaders Considering \$22 Billion Transpo. Stimulus

**Oberstar, Obey Also Propose Replacing Highway Trust Fund Funds Temporarily With \$51 Billion Per Year From General Fund in FY 2010, 2011 For Highways, Transit, Safety**

Yesterday, President Obama made a public statement of support for additional spending on infrastructure as part of a second economic stimulus package, this one to be focused primarily on short-term job creation. Obama did not give any specifics or dollar amounts, but this week Democratic leaders in the

House and Senate are exchanging proposals for legislation to be unveiled as early as next week.

No details have been publicly announced by the party leaders in either chamber. However, several weeks ago, House Transportation and Infrastructure chairman James Oberstar (D-MN) and House Appropria-

tions chairman David Obey (D-WI) made a joint proposal to their leadership which is finally getting wider circulation.

That proposal has two parts. The first part would be a two-year extension of Highway Trust Fund programs. However, funding for those

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budget request. Like the House and Senate bills, the conference report rejects the budget's proposal to replace most obligation limitations on Highway Trust Fund contract authority in fiscal 2010 with general fund appropriations. (But see the article at the bottom of page 1 of this issue as to how House leaders are now coming around to this concept.)

And the budget requested \$5 billion for a National Infrastructure Bank (outside DOT but in the THUD bill). This was later downzoned informally by the White House to \$2 billion, to be focused exclusively on transportation. The House bill did not contain language authorizing the Bank but parked \$2 billion in the high-speed rail account (if Congress authorized a Bank in separate legislation by the end of FY 2010, the money could be transferred; otherwise, it would go to high speed rail). The Senate bill had no bank provision and spent that money in other places.

The conference report has no provision for the Bank and does not reserve or allow any other funds for later transfer to a Bank. conference report notes that "The conferees support strong investment in transportation infrastructure. However, given that this is a new and complex endeavor, the conferees believe that this proposal requires careful review and should be considered through the normal authorization process."

Speaking of the regular authorization process, the money provided in the conference report for programs funded out of the Highway Trust Fund and the Airport and Airway Trust Fund is not necessarily all it appears because all of the authorization laws providing contract authority drawn on those trust funds have expired. The appropriations bill provides annual ceilings on how much of that contract authority can be provided in a given year, but if

## Major USDOT Appropriations Accounts, FY 2010

	<u>House Bill</u>	<u>Senate Bill</u>	<u>Conference</u>
Federal-aid Highways (Ob Limit)	\$41.107 billion	\$41.107 billion	\$41.107 billion
Extra GF for Federal-aid Hwys.	zero	\$1.400 billion	\$650 million
FAA Operations	\$9.336 billion	\$9.359 billion	\$9.350 billion
FAA Facilities & Equipment	\$2.925 billion	\$2.942 billion	\$2.936 billion
FAA Airport Grants (Ob Limit)	\$3.515 billion	\$3.515 billion	\$3.515 billion
FTA Formula & Bus (Ob Limit)	\$8.343 billion	\$8.343 billion	\$8.343 billion
FTA New & Small Starts	\$1.827 billion	\$2.307 billion	\$2.000 billion
FRA High-Speed Rail	\$4.000 billion	\$1.200 billion	\$2.500 billion
FRA Amtrak Capital Grants	\$930 million	\$1.002 billion	\$1.002 billion
FRA Amtrak Operating Grants	\$553 million	\$553 million	\$563 million
NHTSA Agency Total (Gross)	\$867 million	\$868 million	\$873 million
FMCSA Agency Total (Gross)	\$550 million	\$550 million	\$550 million
OST Discretion. Surface Grants	zero	\$1.100 billion	\$600 million
OST Essential Air Service	\$175 million	\$175 million	\$200 million

the available contract authority is less than the obligation limitation, then the extra amount of obligation limitation is meaningless. Contract authority out of the Highway Trust Fund is currently being provided on a pro-rated basis by the continuing resolution expiring December 18, while the latest short-term extension of Federal Aviation Administration funding expires on December 31. (Yesterday, the House passed another three-month extension of FAA programs, H.R. 4217, which now awaits Senate action.)

Following are brief highlights of the conference report, by transportation mode.

**Highways.** There was little suspense on the big number — the conference report provides an obligation limitation of \$41.107 billion on the federal-aid highways program for fiscal year 2010 (though, as noted above, the CR does not provide nearly that much contract authority, even if that part of the CR were extended for a full year). In addition, the conference report does not disturb the \$739 million in federal-aid highways spending that is provided outside the appropriations process (those dollars are exempt from the annual limitation). In addition, the bill provides a general fund appropriation of \$650 million for highways (the Senate bill had \$1.4 billion while the House bill had

nothing). The \$650 million is to be apportioned to states in the same ratio as the FY 2010 obligation limitation, and the federal share of each project funded by the money is set at 80 percent.

The conference report also provides a general fund appropriation of \$240 million for earmarked projects called "Surface Transportation Priorities," up from \$126 million in the House bill and \$165 million in the Senate bill. The federal share of each project funded by the money is set at 100 percent.

**Transit.** The conference report provides a total of \$10.733 billion in budgetary resources for the Federal Transit Administration in FY 2010, a 3.8 percent increase over the budget request and a 4.9 percent increase over the non-stimulus 2009 level.

The big account, Formula and Bus Grants, is funded by an obligation limitation on contract authority, which is set at \$8.343 billion, as in both the House and Senate bills. While earlier versions of the bill tried to rearrange how that \$8.343 billion was to be divided between programs, the conference report says that "The conferees acknowledge that the specific programmatic distribution of formula and bus grant funds will be determined through legislation extending or

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reauthorization the surface transportation programs.”

The big discretionary account is Capital Investment Grants (a.k.a. new starts and small starts). There was a wide range between the House and Senate numbers — \$1.827 billion to \$2.307 billion — and the conferees compromised at an even \$2.000 billion. The table on page 9 of this issue provides a full accounting of that \$2 billion.

The conference report provides in section 171 that the total amount of full funding grant agreements for new starts and small starts (called contingent commitment authority) can be expanded in the absence of a multi-year reauthorization law, a modification of a Senate proposal.

The conference report provides an appropriation of \$98.9 million for administrative expenses and section 169 directs DOT to submit recommendations to Congress on how

to regulate transit heavy rail security (which DOT is already doing at two Congressional hearings this week).

The conference report provides an appropriation of \$150 million for the Washington DC area Metro system, as in the House and Senate bills. While the Senate bill proposed a separate \$100 million appropriation for transit greenhouse gas reduction grants, the House bill had no such funding, and the conference report provides \$75 million. And the conference report provides an appropriation of \$65.7 million for FTA research and development.

Section 172 of the conference report gives Seattle its waiver of FTA charter bus rules for Seattle Mariners games. And the final conference report does not contain Senate language prohibiting FTA from going ahead with its new starts rule-making under 49 USC 5309.

**Rail.** As noted earlier, the conference report provides an appropriation of \$2.500 billion for high-speed and intercity passenger rail, a com-

promise between the \$4.000 billion in the House bill and the \$1.200 billion in the Senate bill. (It is far more than the \$1.000 billion proposed by the President.)

Of the \$2.5 billion, \$50 million is set aside for Federal Railroad Administration overhead and oversight; up to \$50 million can be used for by grant recipients for planning activities, and \$30 million is set aside for high-speed rail research and development. The conference report provides that “not less than 85 percent of the funds provided under this heading shall be for cooperative agreements that lead to the development of entire segments or phases of intercity or high-speed rail corridors.” The federal share of any project cost funded by the \$2.5 billion shall not exceed 80 percent.

The conference report provides a total of \$1.584 billion for Amtrak, 6.3 percent more than the non-stimulus 2009 appropriation. \$1.002 billion is for Amtrak capital grants and \$563 million is for operating subsidies.

The conference report provides a separate appropriation of \$19 million for the Amtrak Inspector General, but for some reason puts the appropriation in title III of the bill (independent agencies) instead of title I (DOT).

The conference report waters down the Senate-passed language requiring Amtrak to allow passengers to include firearms and ammunition in checked baggage using the same rules now used by airlines. Instead, section 159 of the conference report requires TSA to develop guidance for Amtrak on the issue.

The conference report provides \$34.5 million for the rail line relocation and improvement program, much of which is earmarked in the report. The conference report also includes \$50 million for grants to railroads to implement positive train control technologies, as proposed by the Senate.

For the main purposes of the Federal Railroad Administration, the

### “As Maine Goes, So Goes Vermont”

—James Farley

Until the U.S. Presidential election of 1936, the state of Maine had a well-earned reputation as the electoral bellwether. Whichever Presidential candidate carried Maine won the national election in all but six of the twenty-five elections from 1832 to 1932, leading to the commonly uttered phrase, “As Maine goes, so goes the nation.”

In the 1936 FDR reelection landslide, however, Republican Alf Landon only carried two states — Maine and Vermont — leading Roosevelt’s campaign manager James Farley to utter the above *bon mot*.

Yesterday’s conference committee on the Transportation-HUD was delayed for over an hour because the very last issue in disagreement was the Senate bill’s provision (section 194) giving Maine a temporary waiver from federal restrictions on the maximum size and weight of trucks on the Interstate system.

The provision was put in the Senate bill at the personal direction of Majority Leader Reid because the waiver was the quid pro quo demanded by Collins in exchange for her allowing the extra \$2 billion bailing out the cash-for-clunkers program to pass on an expedited basis in July.

After leaving the issue open longer than any other, the House was prepared to accept the Senate provision, but Senator Pat Leahy (D-VT), a member of the Transportation-HUD subcommittee (and thus a member of the conference committee), weighed in at some point yesterday demanding his state also be given a waiver. After much back-and-forth, the final language in the conference report (drafted after the meeting was originally scheduled to have started) gives waivers to both Maine and Vermont.

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conference report provides \$172.3 million for FRA safety and operations and \$37.6 million for research and development.

The conference report provides a gross appropriation of \$29.066 million for the Surface Transportation Board. After offsetting fees, the net appropriation is \$27.816 million.

**Aviation.** The conference report provides a total of \$15.992 billion in gross budgetary resources for the Federal Aviation Administration in FY 2010, 3.4 percent more than last year.

The big account, Operations, gets \$9.350 billion. Of that amount, the Airport and Airway Trust Fund share is cut from \$5.238 billion last year (and \$6.208 billion in the budget request) to an even \$4.000 billion, which increases the general fund's share of the total FAA budget to one-third, a recent high.

The table below shows how the conference report distributes the fund-

ing within activities in the Operations account.

The capital account, Facilities and Equipment, gets \$2.936 billion, splitting the difference between the House and Senate bills and giving an ever-so-slight increase over the budget request. (The table below breaks down that account by activity as well.)

The conference report provides an obligation of \$3.515 billion on the Airport Improvement Program for the fifth consecutive year, but as noted earlier, there has not been \$3.515 billion in new contract authority for FY 2010 created yet.

The conference report does take advantage of a well-worn loophole in the Budget Act and rescinds \$394 million in prior-year AIP contract authority, which is used to offset new appropriations (even though the rescission will not save the Treasury a dime in real-world spending).

AIP set-asides in the conference report are the same as in the House and Senate bills except that the Small Community Air Service program gets \$6 million.

Within the Office of the Secretary of Transportation, the Essential Air Service subsidy program receives an appropriation of \$150 million in the conference report, up from \$125 million in both the House and Senate bills. This is due to the rising cost of maintain the existing network of subsidized service. When combined with the \$50 million in mandatory spending for the program, \$200 million is made available.

The National Transportation Safety Board receives an appropriation of \$98.05 million in title III of the conference report.

**Highway Safety.** The National Highway Traffic Safety Administration receives a total of \$873 million in gross budgetary resources in the conference report, an increase of 0.6 percent over the budget request. (NHTSA's 2009 numbers are thrown off by the one-time, \$3 billion cash-for-clunkers program.)

A general fund appropriation of \$140.4 million is provided to match the obligation limitation of \$105.5

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## FEDERAL AVIATION ADMINISTRATION APPROPRIATIONS COMPARISON

	FY 2009	FY 2010	FY 2010	FY 2010	FY 2010	Conf. vs. FY 2009		Conf. vs. Request	
	Omnibus	Request	House	Senate	Conference	Dollars	Percent	Dollars	Percent
<b>Operations</b>									
Air Traffic Organization	\$ 7,099,019,000	\$ 7,302,739,000	\$ 7,300,739,000	\$ 7,305,902,000	\$ 7,299,299,000	\$ 200,280,000	2.8%	\$ (3,440,000)	0.0%
Aviation Safety	\$ 1,164,597,000	\$ 1,216,395,000	\$ 1,231,765,000	\$ 1,236,565,000	\$ 1,234,065,000	\$ 69,468,000	6.0%	\$ 17,670,000	1.5%
Commercial Space Transportation	\$ 14,094,000	\$ 14,737,000	\$ 15,737,000	\$ 14,737,000	\$ 15,237,000	\$ 1,143,000	8.1%	\$ 500,000	3.4%
Financial Services	\$ 111,004,000	\$ 113,681,000	\$ 113,681,000	\$ 113,681,000	\$ 113,681,000	\$ 2,677,000	2.4%	\$ -	0.0%
Human Resources	\$ 96,091,000	\$ 100,428,000	\$ 100,428,000	\$ 100,428,000	\$ 100,428,000	\$ 4,337,000	4.5%	\$ -	0.0%
Region and Center Operations	\$ 331,000,000	\$ 341,977,000	\$ 341,977,000	\$ 341,977,000	\$ 341,977,000	\$ 10,977,000	3.3%	\$ -	0.0%
Staff Offices	\$ 180,859,000	\$ 196,063,000	\$ 196,063,000	\$ 196,063,000	\$ 198,063,000	\$ 17,204,000	9.5%	\$ 2,000,000	1.0%
Information Services	\$ 46,500,000	\$ 49,778,000	\$ 48,778,000	\$ 49,778,000	\$ 49,278,000	\$ 2,778,000	6.0%	\$ (500,000)	-1.0%
Adjustments	\$ (697,000)	\$ -	\$ -	\$ -	\$ -	\$ 697,000	-100.0%	\$ -	n/a
<b>Total, Operations</b>	<b>\$ 9,042,467,000</b>	<b>\$ 9,335,798,000</b>	<b>\$ 9,347,168,000</b>	<b>\$ 9,359,131,000</b>	<b>\$ 9,350,028,000</b>	<b>\$ 307,561,000</b>	<b>3.4%</b>	<b>\$ 14,230,000</b>	<b>0.2%</b>
<b>Facilities and Equipment</b>									
Engineering, Development, Testing	\$ 345,100,000	\$ 523,914,500	\$ 520,914,500	\$ 524,764,500	\$ 520,742,400	\$ 175,642,400	50.9%	\$ (3,172,100)	-0.6%
Air Traffic Control F&E	\$ 1,568,290,000	\$ 1,570,871,000	\$ 1,568,571,000	\$ 1,586,921,000	\$ 1,581,244,100	\$ 12,954,100	0.8%	\$ 10,373,100	0.7%
Non-Air Traffic Control F&E	\$ 141,800,000	\$ 130,416,500	\$ 133,416,500	\$ 130,416,500	\$ 131,916,500	\$ (9,883,500)	-7.0%	\$ 1,500,000	1.2%
F&E Mission Support	\$ 226,405,000	\$ 230,000,000	\$ 232,300,000	\$ 230,000,000	\$ 232,300,000	\$ 5,895,000	2.6%	\$ 2,300,000	1.0%
Personnel and Related Expenses	\$ 460,500,000	\$ 470,000,000	\$ 470,000,000	\$ 470,000,000	\$ 470,000,000	\$ 9,500,000	2.1%	\$ -	0.0%
<b>Total, Facilities &amp; Equipment</b>	<b>\$ 2,742,095,000</b>	<b>\$ 2,925,202,000</b>	<b>\$ 2,925,202,000</b>	<b>\$ 2,942,352,000</b>	<b>\$ 2,936,203,000</b>	<b>\$ 194,108,000</b>	<b>7.1%</b>	<b>\$ 11,001,000</b>	<b>0.4%</b>
<b>Research, Engineering &amp; Develop.</b>	<b>\$ 171,000,000</b>	<b>\$ 180,000,000</b>	<b>\$ 195,000,000</b>	<b>\$ 175,000,000</b>	<b>\$ 190,500,000</b>	<b>\$ 19,500,000</b>	<b>11.4%</b>	<b>\$ 10,500,000</b>	<b>5.8%</b>
<b>Airport Improvement Program</b>									
Grants-in-aid to Airports	\$ 3,384,698,000	\$ 3,384,106,000	\$ 3,384,106,000	\$ 3,376,106,000	\$ 3,378,106,000	\$ (6,592,000)	-0.2%	\$ (6,000,000)	-0.2%
Office of Airports	\$ 87,454,000	\$ 93,422,000	\$ 93,422,000	\$ 93,422,000	\$ 93,422,000	\$ 5,968,000	6.8%	\$ -	0.0%
Airport Technology Research	\$ 19,348,000	\$ 22,472,000	\$ 22,472,000	\$ 22,472,000	\$ 22,472,000	\$ 3,124,000	16.1%	\$ -	0.0%
Airport Cooperative Research	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ 15,000,000	\$ -	0.0%	\$ -	0.0%
Small Community Air Service (to OST)	\$ 8,000,000	\$ -	\$ -	\$ 8,000,000	\$ 6,000,000	\$ (2,000,000)	-25.0%	\$ 6,000,000	n/a
<b>Total, AIP</b>	<b>\$ 3,514,500,000</b>	<b>\$ 3,515,000,000</b>	<b>\$ 3,515,000,000</b>	<b>\$ 3,515,000,000</b>	<b>\$ 3,515,000,000</b>	<b>\$ 500,000</b>	<b>0.0%</b>	<b>\$ -</b>	<b>0.0%</b>
<b>GRAND TOTAL, FAA (Gross)</b>	<b>\$ 15,470,062,000</b>	<b>\$ 15,956,000,000</b>	<b>\$ 15,982,370,000</b>	<b>\$ 15,991,483,000</b>	<b>\$ 15,991,731,000</b>	<b>\$ 521,669,000</b>	<b>3.4%</b>	<b>\$ 35,731,000</b>	<b>0.2%</b>
General Fund	\$ 3,804,462,000	\$ 3,128,000,000	\$ 4,156,370,000	\$ 4,081,483,000	\$ 5,350,028,000	\$ 1,545,566,000	40.6%	\$ 2,222,028,000	71.0%
Airport and Airway Trust Fund	\$ 11,665,600,000	\$ 12,828,000,000	\$ 11,826,000,000	\$ 11,910,000,000	\$ 10,641,703,000	\$ (1,023,897,000)	-8.8%	\$ (2,186,297,000)	-17.0%
General Fund (% of Total FAA)	24.6%	19.6%	26.0%	25.5%	33.5%				
Trust Fund (% of Total FAA)	75.4%	80.4%	74.0%	74.5%	66.5%				
<b>Rescission, Offsets and "Other"</b>									
Rescission of excess AIP CA	\$ (80,000,000)	\$ -	\$ -	\$ (392,960,000)	\$ (394,000,000)	\$ (314,000,000)	392.5%	\$ (394,000,000)	n/a
<b>Total, Rescissions/Offsets/Other</b>	<b>\$ (80,000,000)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (392,960,000)</b>	<b>\$ (394,000,000)</b>	<b>\$ (314,000,000)</b>	<b>392.5%</b>	<b>\$ (394,000,000)</b>	<b>n/a</b>
<b>GRAND TOTAL, FAA (Net)</b>	<b>\$ 15,390,062,000</b>	<b>\$ 15,956,000,000</b>	<b>\$ 15,982,370,000</b>	<b>\$ 15,598,523,000</b>	<b>\$ 15,597,731,000</b>	<b>\$ 207,669,000</b>	<b>1.3%</b>	<b>\$ (358,269,000)</b>	<b>-2.2%</b>

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million for the Operations and Research account, and a general fund appropriation of \$3.3 million almost matches the \$4 million ob limit for the National Driver Register. The ob limit for safety grant programs is set at last year's level of \$619.5 million.

**Motor Carrier Safety.** The conference report provides a gross total of \$549.9 million for the Federal Motor Carrier Safety Administration, the exact amount of the budget request.

**Pipelines and Hazmat.** The conference report provides a total of \$192.9 million in resources for the Pipeline and Hazardous Materials Safety Administration, a slight increase over both the House and Senate bills.

**Maritime.** The conference report provides a gross total of \$362.8 million for the Maritime Administration in 2010, 5.0 percent over the budget request. The assistance for small shipyards account (which got zero in the House bill) gets \$15 mil-

lion, and the subsidies for new title XI shipbuilding loans (which also got zero in the House) gets \$5 million.

**St. Lawrence Seaway.** The St. Lawrence Seaway Development Commission gets \$32.3 million, the same as the request, the House bill and the Senate bill.

**Other.** The conference report provides \$600 million for discretionary grants for surface transportation to be allocated by the Secretary. (The House provided zero; the Senate provided \$1.1 billion.)

Projects funded by the grants can be title 23-eligible highway or bridge projects; title 49-eligible transit projects; passenger and freight rail transportation projects, and port infrastructure investments. The Secretary is directed to take into account geographic equity, urban-rural equity (no less than \$140 million must be allocated to rural areas), and modal diversity when making allocations.

The minimum grant size is \$10 million and the maximum grant size is \$200 million (but in rural areas, the minimum size drops to \$1 million), and the federal share of the cost is

capped at 80 percent (but there is no cap in rural areas). Up to \$35 million may be spent on planning, and up to \$25 million is set aside for overhead and oversight.

Also within OST, the transportation R&D account received \$16.2 million — more than in either the House or Senate bill — and, surprise of surprises, all of that overage was earmarked.

The Office of Inspector General receives an appropriation of \$75.1 million, slightly above the budget request.

The Research and Innovative Technology Administration receives an appropriation of \$13 million, a slight reduction from the budget request.

*The following four pages contain tables summarizing the entire Department of Transportation title of the bill and give a detailed analysis of the Capital Investment Grants (new starts and small starts) in the conference report. A link to the full text of the conference report is on page 15 of this issue.*

## Transportation Earmarks in the USDOT Appropriations Bill

*NOTE: This table was made by doing a quick read-through of the conference report between 2:30 and 3:30 a.m. Take with appropriate dosage of salt.*

Mode	Account or Program	House Bill		Senate Bill		Conference	
		#	Total Amount	#	Total Amount	#	Total Amount
OST	Transportation Planning, R & D	8	\$ 4,500,000	4	\$ 2,500,000	11	\$ 5,935,000
OST	Missouri water project study (sec. 195)	0	\$ -	1	\$ 2,000,000	1	\$ 2,000,000
FAA	Airport Improvement Program	59	\$ 37,000,000	19	\$ 28,695,000	75	\$ 64,521,230
FAA	Facilities & Equipment	7	\$ 3,500,000	5	\$ 5,350,000	12	\$ 11,650,900
FAA	Operations	0	\$ -	2	\$ 2,900,000	2	\$ 2,876,600
FAA	Research, Engineering & Development	2	\$ 2,000,000	4	\$ 32,502,000	4	\$ 3,461,000
FHWA	Delta Regional Transportation	10	\$ 4,325,000	7	\$ 8,650,000	15	\$ 12,725,000
FHWA	Ferry Boats and Facilities	8	\$ 4,350,000	1	\$ 3,000,000	9	\$ 7,272,000
FHWA	Federal Lands Highways	48	\$ 50,525,000	25	\$ 41,570,000	58	\$ 83,021,930
FHWA	Interstate Maintenance Discretionary	59	\$ 50,000,000	29	\$ 43,150,000	73	\$ 87,503,000
FHWA	Surface Transportation Priorities	218	\$ 125,700,000	141	\$ 163,511,076	353	\$ 292,829,000
FHWA	Transp. & Community Systems Preservation	69	\$ 31,375,000	39	\$ 29,692,000	106	\$ 60,916,350
FRA	Grade Separation in HSR Corridors	7	\$ 4,500,000	4	\$ 6,500,000	7	\$ 4,500,000
FRA	Rail Line Relocation and Improvement	22	\$ 15,000,000	6	\$ 8,800,000	27	\$ 24,519,200
FRA	Railroad Research and Development	0	\$ -	4	\$ 1,750,000	4	\$ 2,467,500
FTA	Alternatives Analysis	19	\$ 7,000,000	5	\$ 9,250,000	22	\$ 18,584,700
FTA	Buses and Bus Facilities	182	\$ 109,500,000	64	\$ 94,174,429	227	\$ 197,923,900
FTA	Capital Investment Grants*	17	\$ 47,000,000	26	\$ 159,500,000	32	\$ 135,850,000
FTA	Research and University Research Centers	3	\$ 1,500,000	0	\$ -	3	\$ 1,500,000
<b>Total USDOT Earmarks In The Approps. Bill</b>		<b>738</b>	<b>\$ 497,775,000</b>	<b>386</b>	<b>\$ 643,494,505</b>	<b>1041</b>	<b>\$ 1,020,057,310</b>

*\*There are many more projects listed in the table in the committee and conference reports for this account, but all of those were requested by the Administration and received the exact dollar amount requested by the Administration. They are not, therefore, Congressional earmarks.*



**Appropriations in the Transportation-HUD Conference Report (Dollars in thousands, p. 2 of 3)**

	FY 2009	FY 2010	FY 2010	FY 2010	FY 2010	Conf. vs. 2009		Conf. vs. Request		
	Enacted	Request	House	Senate	Conference	,000 Dollars	Percent	,000 Dollars	Percent	
<b>Federal Transit Administration</b>										
Administrative Expenses	94,413	97,478	97,478	97,478	98,911	4,498	4.8%	1,433	1.5%	
Formula and Bus Grants (Ob Limit)	8,260,565	5,000,000	8,343,171	8,343,171	8,343,171	82,606	1.0%	3,343,171	66.9%	
Formula and Bus Grants (GF Share if no new HTF \$)	-	3,343,171	-	-	-	-	-	(3,343,171)	-100.0%	
Formula Grants (GF Stimulus)	6,900,000	-	-	-	-	(6,900,000)	-100.0%	-	n/a	
Fixed Guideway Modernization Grants (GF Stimulus)	750,000	-	-	-	-	(750,000)	-100.0%	-	n/a	
Research and University Research Centers	67,000	67,670	65,670	67,670	65,670	(1,330)	-2.0%	(2,000)	-3.0%	
Capital Investment Grants	1,809,250	1,827,343	1,827,343	2,307,343	2,000,000	190,750	10.5%	172,657	9.4%	
Capital Investment Grants (GF Stimulus)	750,000	-	-	-	-	(750,000)	-100.0%	-	n/a	
WMATA	-	-	150,000	150,000	150,000	150,000	n/a	150,000	n/a	
Energy Efficiency/Greenhouse Gas Reduction Grants	-	-	-	100,000	75,000	75,000	-	75,000	-	
Rescission of Contract Authority	(100,000)	-	-	-	-	100,000	-100.0%	-	n/a	
<b>Total, FTA (Gross new budgetary resources)</b>	<b>18,631,228</b>	<b>10,335,662</b>	<b>10,483,755</b>	<b>11,065,662</b>	<b>10,732,752</b>	<b>(7,898,476)</b>	<b>-42.4%</b>	<b>397,090</b>	<b>3.8%</b>	
<b>Total, FTA (Gross NBR without stimulus funds)</b>	<b>10,231,228</b>	<b>10,335,662</b>	<b>10,483,755</b>	<b>11,065,662</b>	<b>10,732,752</b>	<b>501,524</b>	<b>4.9%</b>	<b>397,090</b>	<b>3.8%</b>	
<b>Total, FTA (Net after rescissions &amp; offsets)</b>	<b>18,531,228</b>	<b>10,335,662</b>	<b>10,483,662</b>	<b>11,065,662</b>	<b>10,732,752</b>	<b>(7,798,476)</b>	<b>-42.1%</b>	<b>397,090</b>	<b>3.8%</b>	
<b>St. Lawrence Seaway Development Corporation</b>										
Operations and Maintenance	31,842	32,324	32,324	32,324	32,324	482	1.5%	-	0.0%	
<b>Total, StLSDC</b>	<b>31,842</b>	<b>32,324</b>	<b>32,324</b>	<b>32,324</b>	<b>32,324</b>	<b>482</b>	<b>1.5%</b>	<b>-</b>	<b>0.0%</b>	
<b>Maritime Administration</b>										
Maritime Security Program	174,000	174,000	174,000	174,000	174,000	-	0.0%	-	0.0%	
Operations and Training	123,360	152,900	140,900	154,900	149,750	26,390	21.4%	(3,150)	-2.1%	
Ship Disposal	15,000	15,000	15,000	15,000	15,000	-	0.0%	-	0.0%	
Assistance for Small Shipyards	17,500	-	-	17,500	15,000	(2,500)	-14.3%	15,000	n/a	
Assistance for Small Shipyards (GF Stimulus)	100,000	-	-	-	-	(100,000)	-100.0%	-	n/a	
Title XI Shipbuilding Loan Program (admin expenses)	3,531	3,630	3,630	4,000	4,000	469	13.3%	370	10.2%	
Title XI Shipbuilding Loan Program	-	-	-	10,000	5,000	5,000	n/a	5,000	-	
Rescission of Ship Construction funds	(1,383)	-	-	-	-	1,383	-100.0%	-	n/a	
<b>Total, MARAD (Gross new budgetary resources)</b>	<b>433,391</b>	<b>345,530</b>	<b>333,530</b>	<b>375,400</b>	<b>362,750</b>	<b>(70,641)</b>	<b>-16.3%</b>	<b>17,220</b>	<b>5.0%</b>	
<b>Total, MARAD (Gross NBR without stimulus funds)</b>	<b>333,391</b>	<b>345,530</b>	<b>333,530</b>	<b>375,400</b>	<b>362,750</b>	<b>29,359</b>	<b>8.8%</b>	<b>17,220</b>	<b>5.0%</b>	
<b>Total, MARAD (Net after rescissions &amp; offsets)</b>	<b>432,008</b>	<b>345,530</b>	<b>333,530</b>	<b>375,400</b>	<b>362,750</b>	<b>(69,258)</b>	<b>-16.0%</b>	<b>17,220</b>	<b>5.0%</b>	
<b>Pipeline and Hazardous Materials Administration</b>										
Hazardous Materials Safety	32,000	35,500	36,500	35,500	37,994	5,994	18.7%	2,494	7.0%	
Administrative Expenses (General Fund)	18,491	18,329	19,329	19,329	20,493	2,002	10.8%	2,164	11.8%	
Administrative Expenses (Pipeline Safety Fund)	639	639	639	639	639	-	0.0%	-	0.0%	
Administrative Expenses - Total	19,130	18,968	19,968	19,968	21,132	2,002	10.5%	2,164	11.4%	
Pipeline Safety (Pipeline Safety Fund)	74,481	86,334	86,334	86,334	86,334	11,853	15.9%	-	0.0%	
Pipeline Safety (Oil Spill Liability Trust Fund)	18,810	18,905	18,905	18,905	18,905	95	0.5%	-	0.0%	
Pipeline Safety - Total	93,291	105,239	105,239	105,239	105,239	11,948	12.8%	-	0.0%	
Emergency Preparedness Fund (discr. appropriation)	188	188	188	188	188	-	0.0%	-	0.0%	
Emergency Preparedness Fund (mandatory BA)	28,318	28,318	28,318	28,318	28,318	-	0.0%	-	0.0%	
<b>Total, PHMSA</b>	<b>172,927</b>	<b>188,213</b>	<b>190,213</b>	<b>189,213</b>	<b>192,871</b>	<b>19,944</b>	<b>11.5%</b>	<b>4,658</b>	<b>2.5%</b>	
<b>Research and Innovative Technology Administration</b>										
Research and Development	12,900	13,179	12,834	13,179	13,007	107	0.8%	(172)	-1.3%	
<b>Total, RITA</b>	<b>12,900</b>	<b>13,179</b>	<b>12,834</b>	<b>13,179</b>	<b>13,007</b>	<b>107</b>	<b>0.8%</b>	<b>(172)</b>	<b>-1.3%</b>	
<b>Office of Inspector General</b>										
Salaries and Expenses	71,400	74,839	74,839	75,389	75,114	3,714	5.2%	275	0.4%	
Salaries and Expenses (GF Stimulus)	20,000	-	-	-	-	(20,000)	-100.0%	-	n/a	
<b>Total, OIG</b>	<b>91,400</b>	<b>74,839</b>	<b>74,839</b>	<b>75,389</b>	<b>75,114</b>	<b>(16,286)</b>	<b>-17.8%</b>	<b>275</b>	<b>0.4%</b>	
<b>Total, OIG without stimulus funds</b>	<b>71,400</b>	<b>74,839</b>	<b>74,839</b>	<b>75,389</b>	<b>75,114</b>	<b>3,714</b>	<b>5.2%</b>	<b>275</b>	<b>0.4%</b>	
<b>Surface Transportation Board</b>										
Salaries and Expenses	26,847	27,032	29,800	28,332	29,066	2,219	8.3%	2,034	7.5%	
Offsetting collections	(1,250)	(1,250)	(1,250)	(1,250)	(1,250)	-	0.0%	-	0.0%	
<b>Total, STB</b>	<b>25,597</b>	<b>25,782</b>	<b>28,550</b>	<b>27,082</b>	<b>27,816</b>	<b>2,219</b>	<b>8.7%</b>	<b>2,034</b>	<b>7.9%</b>	
<b>TOTALS FOR TITLE I (USDOT):</b>										
<i>Discretionary Budgetary Resources</i>										
New Discretionary Budget Authority - Non-Emergency	17,012,030	57,626,943	21,522,212	21,979,484	21,896,040	4,884,010	28.7%	(35,730,903)	-62.0%	
New Discretionary Budget Authority - Emergency	51,120,000	-	-	-	-	(51,120,000)	-100.0%	-	n/a	
New Transportation Obligation Limitations	53,745,065	14,802,352	54,247,211	54,242,741	54,244,069	499,004	0.9%	39,441,717	266.5%	
<b>GROSS DISCRETIONARY BUDGETARY RESOURCES</b>	<b>121,877,095</b>	<b>72,429,295</b>	<b>75,769,423</b>	<b>76,222,225</b>	<b>76,140,109</b>	<b>(45,736,986)</b>	<b>-37.5%</b>	<b>3,710,814</b>	<b>5.1%</b>	
<i>Mandatory Budgetary Resources</i>										
Contract Authority Exempt From Obligation Limit	739,000	739,000	739,000	739,000	739,000	-	0.0%	-	0.0%	
Mandatory Budget Authority for Essential Air Service	50,000	50,000	50,000	50,000	50,000	-	0.0%	-	0.0%	
Mandatory Budget Authority for PHMSA EPF	28,318	28,318	28,318	28,318	28,318	-	0.0%	-	0.0%	
<b>GROSS MANDATORY BUDGETARY RESOURCES</b>	<b>817,318</b>	<b>817,318</b>	<b>817,318</b>	<b>817,318</b>	<b>817,318</b>	<b>-</b>	<b>0.0%</b>	<b>-</b>	<b>0.0%</b>	
<b>TOTAL GROSS BUDGETARY RESOURCES, USDOT</b>	<b>122,694,413</b>	<b>73,246,613</b>	<b>76,586,741</b>	<b>77,039,543</b>	<b>76,957,427</b>	<b>(45,736,986)</b>	<b>-37.3%</b>	<b>3,710,814</b>	<b>5.1%</b>	
<i>Rescissions and Budgetary Offsets:</i>										
Rescissions of Appropriated Budget Authority	-39,065	0	0	0	0	39,065	-100.0%	-	n/a	
Rescissions of Contract Authority	-3,493,147	0	0	-414,593	-421,563	3,071,584	-87.9%	(421,563)	n/a	
Offsetting Receipts from Pipeline Safety User Fees	-75,120	-86,973	-86,973	-86,973	-86,973	(11,853)	15.8%	-	0.0%	
<b>Subtotal: Rescissions and Offsets</b>	<b>-3,607,332</b>	<b>-86,973</b>	<b>-86,973</b>	<b>-501,566</b>	<b>-508,536</b>	<b>3,098,796</b>	<b>-85.9%</b>	<b>(421,563)</b>	<b>n/a</b>	
<b>TOTAL NET BUDGETARY RESOURCES, USDOT</b>	<b>119,087,081</b>	<b>73,159,640</b>	<b>76,499,768</b>	<b>76,537,977</b>	<b>76,448,891</b>	<b>(42,638,190)</b>	<b>-35.8%</b>	<b>3,289,251</b>	<b>4.5%</b>	
<b>Total Subject to 302(b) BA Ceiling (Disc. BA - Offsets)</b>	<b>13,404,698</b>	<b>57,539,970</b>	<b>21,435,239</b>	<b>21,477,918</b>	<b>21,387,504</b>	<b>7,982,806</b>	<b>59.6%</b>	<b>(36,152,466)</b>	<b>-62.8%</b>	

NOTE: These totals are slightly different than those in the table in the THUD division of the conference report. We score Essential Air Service mandatory BA the same way that we score exempt highway obligations (appropriators do not). We classify the PHMSA EPF money subject to limit as mandatory BA because no one else had any good reason for doing it any other way. We move the \$2 million water earmark from the end of title I to OST, and we moved the \$19 million for the Amtrak IG, which occurs in title III of the conference report (outside the USDOT bill totals) back under FRA with the other Amtrak money. We also score pipeline user fees as an offset within title I rather than bill-wide. We think these decisions make as much sense as the way the appropriators present things, but as Roger Miller said, it takes all kinds to make a world.

**Appropriations in the Transportation-HUD Conference Report (Dollars in thousands, p. 3 of 3)**

Gross Discretionary Resources By Type and Source:	FY 2009	FY 2010	FY 2010	FY 2010	FY 2010	Conf. vs. 2009		Conf. vs. Request		
	Enacted	Request	House	Senate	Conference	,000 Dollars	Percent	,000 Dollars	Percent	
New Appropriations (Airport & Airway Trust Fund)	8,224,113	9,438,000	8,436,000	8,520,000	7,276,703	(947,410)	-11.5%	(2,161,297)	-22.9%	
New Appropriations (General/Other Funds)-Non-Emerg.	8,787,917	48,188,943	13,086,212	13,459,484	14,619,337	5,831,420	66.4%	(33,569,606)	-69.7%	
New Appropriations (General/Other Funds)-Emergency	51,120,000	-	-	-	-	(51,120,000)	-100.0%	-	n/a	
Obligation Limitations (Highway Account - HTF)	41,970,000	6,287,352	42,389,040	42,384,570	42,385,898	415,898	1.0%	36,098,546	574.1%	
Obligation Limitations (Mass Transit Account - HTF)	8,260,565	5,000,000	8,343,171	8,343,171	8,343,171	82,606	1.0%	3,343,171	66.9%	
Obligation Limitation (Airport & Airway Trust Fund)	3,514,500	3,515,000	3,515,000	3,515,000	3,515,000	500	0.0%	-	0.0%	
<b>Gross Discretionary Budget Resources, USDOT</b>	<b>121,877,095</b>	<b>72,429,295</b>	<b>75,769,423</b>	<b>76,222,225</b>	<b>76,140,109</b>	<b>(45,736,986)</b>	<b>-37.5%</b>	<b>3,710,814</b>	<b>5.1%</b>	
<b>Independent Agencies (excerpt)</b>										
<b>National Transportation Safety Board</b>										
Salaries and Expenses	91,000	95,400	99,200	96,900	98,050	7,050	7.7%	2,650	2.8%	
Rescission of unobligated balances	(671)	-	-	-	-	671	-100.0%	-	n/a	
<b>Net Total, NTSB</b>	<b>90,329</b>	<b>95,400</b>	<b>99,200</b>	<b>96,900</b>	<b>98,050</b>	<b>7,721</b>	<b>8.5%</b>	<b>2,650</b>	<b>2.8%</b>	
<b>Federal Maritime Commission</b>										
Salaries and Expenses	22,800	24,558	23,712	24,558	24,135	1,335	5.9%	(423)	-1.7%	
<b>Total, FMC</b>	<b>22,800</b>	<b>24,558</b>	<b>23,712</b>	<b>24,558</b>	<b>24,135</b>	<b>1,335</b>	<b>5.9%</b>	<b>(423)</b>	<b>-1.7%</b>	
<b>National Infrastructure Bank</b>	<b>-</b>	<b>5,000,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>n/a</b>	<b>(5,000,000)</b>	<b>-100.0%</b>	

**TOTALS FOR THE ENTIRE TRANSPORTATION-HUD BILL (DOLLAR AMOUNTS IN THOUSANDS)**

Totals Excluding Emergencies:	FY 2009	FY 2010	FY 2010	FY 2010	FY 2010
	Enacted	Request	House	Senate	Conference
USDOT Net Discretionary Budget Authority Total	13,479,818	57,626,943	21,522,212	21,564,891	21,455,477
HUD Net Discretionary Budget Authority Total	41,535,290	45,482,659	47,047,751	45,828,144	46,059,233
Other Agencies Discretionary Budget Auth. Total	303,012	5,296,438	329,312	393,538	383,935
Scorekeeping Adjustments	-318,120	-86,973	-78,645	-86,973	1,355
<b>Total Net Discretionary Budget Authority (302(b))</b>	<b>55,000,000</b>	<b>108,319,067</b>	<b>68,820,630</b>	<b>67,699,600</b>	<b>67,900,000</b>
Plus: Transportation Obligation Limitations	53,745,065	14,802,325	54,247,211	54,242,741	54,244,069
<b>Equals: Total THUD Discr. Budgetary Resources</b>	<b>108,745,065</b>	<b>123,121,392</b>	<b>123,067,841</b>	<b>121,942,341</b>	<b>122,144,069</b>
<b>Plus Emergencies:</b>					
Plus: USDOT Emergency Appropriations (net)	51,120,000	-	-	-	-
Plus: HUD Emergency Appropriations	13,692,000	-	-	-	-
<b>Equals: Total THUD Discr. Budg. Res. w/ Emerg.</b>	<b>173,557,065</b>	<b>123,121,392</b>	<b>123,067,841</b>	<b>121,942,341</b>	<b>122,144,069</b>

**TYPES OF BUDGETARY RESOURCES FOR THE DEPARTMENT OF TRANSPORTATION, FY 2010**

**DISCRETIONARY BUDGET AUTHORITY**

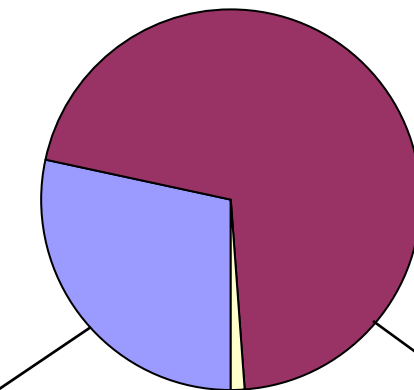
\$21.9 billion — 28.5%

“Normal” appropriations — new discretionary budget authority — only makes up 28.5 percent of the 2010 total USDOT budget. The Federal Aviation Administration takes up over half this amount, and this year the Federal Railroad Administration has surpassed the Federal Transit Administration for second place. All other DOT agencies with this kind of spending (MARAD, OST, PHMSA, RITA, OIG, STB, the Seaway, and parts of FHWA and NHTSA) comprise the rest.

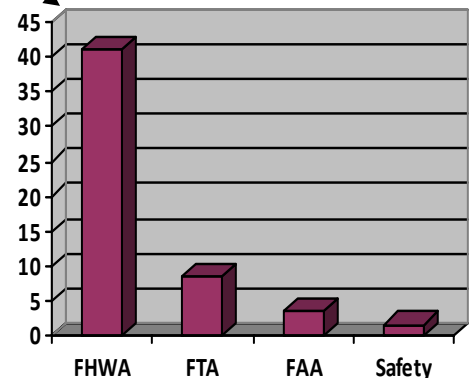
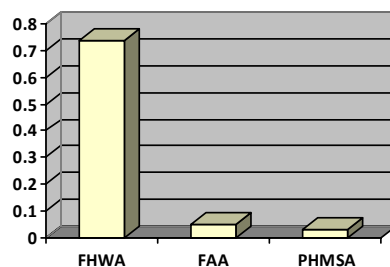
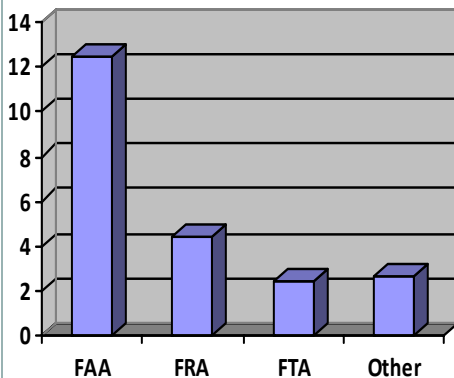
**OBLIGATION LIMITATIONS**

\$54.2 billion — 70.5%

The bulk of the USDOT budget in the appropriations bill comes in the form of annual limitations on how much contract authority from the Highway Trust Fund and the Airport and Airway Trust Fund can be obligated during a fiscal year. The federal-aid highway account is the vast majority of this kind of spending, with FTA (Formula and Bus Grants only), the FAA's Airport Improvement Program, FMCSA, and most of NHTSA comprising the rest.



**MANDATORY SPENDING EXEMPT FROM LIMITATIONS**  
\$817 million — 1.1%







## Obama Nominates Three More To Senior USDOT Posts

Over the last week, President Obama has nominated three more transportation policy professionals who are well known on Capitol Hill to senior posts at the U.S. Department of Transportation.

On December 4, the President formally nominated **David Strickland** to be Administrator of the National Highway Traffic Safety Administration.

Strickland has been an attorney for the Democratic staff of the Senate Commerce, Science and Transportation Committee since August 2001. He is the Senior Counsel on the Consumer Protection, Product Safety, and Insurance Subcommittee, and as such, is the principal majority overseer of NHTSA.

In a sign that Strickland's confirmation process before the Commerce panel will probably not be too difficult, chairman Jay Rocke-

feller (D-WV) said that Strickland "is well-respected by the Members of the Commerce Committee and all of the stakeholders who work with NHTSA, including the industry, safety advocates, and environmental groups. The agency is in need of strong leadership, and David is an outstanding selection for this position as well as an asset to the Administration."

Another former staffer with extensive ties to the Commerce panel will be nominated to be Administrator of the Maritime Administration. **David Matsuda**, who was senior counsel to committee member Frank Lautenberg (D-NJ) for many years, has been serving as Acting Administrator at MARAD since July after being a Deputy Assistant Secretary of Transportation for Policy since March 2009. Previously, Matsuda worked for the Federal Railroad Administration. He

earned his B.S. in Engineering from Harvey Mudd College in Claremont, CA, and his J.D. from the University of San Diego School of Law in San Diego, CA.

And the President will nominate **Michael Huerta**, who helped coordinate the Obama transition team for USDOT, to be Deputy Administrator of the FAA (the only modal administration deputy job that requires Senate confirmation).

Huerta previously served as Associate Deputy Secretary of Transportation under President Clinton.

Huerta has a master's degree from the Woodrow Wilson School of Public and International Affairs at Princeton University and a bachelor's degree from the University of California at Riverside. He is currently Chairman of the Board of Directors of the Intelligent Transportation Society of America

### FTA Giving \$280 Million For New Streetcars in "Sustainable Communities"

For those who have spent part of 2009 wondering, "just what is it that makes a "livable community?" the one-word answer is, apparently, streetcars.

The U.S. Department of Transportation announced on December 1 that the first funds released under the joint DOT-HUD-EPA Livability Initiative will be \$280 million for streetcars and other urban circulator projects.

\$130 million in unallocated new start and small starts funding will be used for streetcars and other urban circulator projects in "walkable, mixed use, high-density environments" and \$150 million in unallocated bus money will be used for "providing new mobility options which provide access to jobs, healthcare, and education."

Grant announcements will be made in early 2010.

### FY 2010 Budget Deficit To Date Is 48 Percent Worse Than FY2009 If TARP, Fannie/Freddie Bailouts Are Excluded

Last week, the Congressional Budget Office released its Monthly Budget Review for November 2009, based on the Monthly Treasury Statement for October 2009 and the Daily Treasury Statements for November 2009.

The numbers show that the unified federal deficit for the first two months of fiscal 2010 was \$292 billion, which is not much worse than the \$281 billion deficit in the first two months of fiscal 2009.

But if one looks at the categorical totals (see table at right), it becomes clear that revenues were down 13.7 percent this year and spending in the "regular" federal budget was up 10.7 percent. The difference is the 2009 TARP and Fannie Mae/Freddie Mac bailouts. If spending on those programs are taken out of the equation, the 2010 deficit to date is \$94 billion higher than the equivalent 2009 deficit (48 percent).

	Oct.- Nov. 2008	Oct.- Nov. 2009	Incr./ Decr.
<b>REVENUES</b>			
Individual Income Taxes	146	109	-25.5%
Corporate Income Taxes	2	-8	n.a.
Social Insurance Taxes	134	134	-1.1%
Estate/Gift/Excise/Other	26	32	+23.6%
<b>Total Revenues</b>	<b>310</b>	<b>267</b>	<b>-13.7%</b>
<b>OUTLAYS</b>			
Defense-Military	112	112	+0.6%
Social Security Benefits	103	114	+10.7%
Medicare (net)	66	74	+11.1%
Medicaid	36	45	+24.7%
Unemployment Benefits	10	24	+139.0%
Other Activities	143	152	+6.2%
<b>Subtotal, "Regular"</b>	<b>470</b>	<b>520</b>	<b>+10.7%</b>
Net Interest on Debt	36	36	+1.4%
TARP	71	2	-96.8%
Fannie/Freddie Bailout	14	0	-100.0%
<b>Total Outlays</b>	<b>590</b>	<b>559</b>	<b>-5.3%</b>
<b>UNIFIED DEFICIT:</b>	<b>-281</b>	<b>-292</b>	<b>+3.9%</b>
<b>UNIFIED DEFICIT WITHOUT OUTLAYS FOR TARP/FANNIE/FREDDIE:</b>			
	<b>-196</b>	<b>-290</b>	<b>+48.0%</b>

## Highways & Jobs

*CONTINUED FROM PAGE ONE*

programs in fiscal years 2010 and 2011 would no longer come from the Trust Fund. Instead, \$51 billion per year in appropriations from the general fund of the Treasury would be made for those programs (see table on following page).

This would give the Trust Fund time to build back tens of billions of dollars in positive balances, as the only draw on the Trust Fund during that time would be the outlays paying for contract authority obligated in prior fiscal years and in FY 2010 up to the date of enactment of the Oberstar-Obey plan. A subsequent multi-year authorization bill could then be enacted, as early as next year, that would spend down those Trust Fund balances starting in FY 2012.

If states have trouble coming up with their matching share of the money, the proposal would set the federal share of any highway or transit project (except for new starts and small starts) at up to 100 percent during FY 2010 and 2011.

The second part of the proposal is an additional \$22.2 billion in general fund stimulus appropriations modeled after the American Recovery and Reinvestment Act of earlier this year. An additional \$15.5 billion for highways and bridges, \$5.7 billion for mass transit, and \$1 billion for Amtrak would be appropriated immediately, subject to terms and conditions almost identical to those in the first stimulus law.

The total amount provided by the Oberstar-Obey from the general fund under this proposal would be around \$124 billion. At this point, complicated and arcane budget scorekeeping rules come into play. Part of the cost of the \$51 billion per year from the general fund for the surface transportation extension could be offset by the cancellation of the Highway Trust Fund contract authority being replaced by the new appropriations.

### OBERSTAR-OBEY SURFACE TRANSPORTATION PROPOSAL

- Two-year extension of surface transportation programs, policies and funding levels at roughly the FY 2009 SAFETEA-LU levels, except that all new funds in FY 2010 and 2011 are to be appropriated from the general fund of the Treasury instead of drawn from the Highway Trust Fund as contract authority (except for \$739 million in mandatory highway spending in FY 2010 from the Trust Fund, which would remain. Cost: \$51 billion per year.
- Extends expenditure authority for the Highway Trust Fund through the end of FY 2011.
- An additional \$22.2 billion in immediate transportation economic stimulus appropriations modeled after the language in the ARRA stimulus law, with \$15.5 billion for highways, bridges, and title 23 or TIFIA-eligible passenger rail, freight rail, or port projects; \$5.7 billion for the Federal Transit Administration; and \$1 billion for Amtrak capital grants.
- Creates Offices of Expedited Project Delivery within the FHWA and FTA Administrators' offices to try and speed up the permitting of projects costing over \$500 million or which are otherwise delayed.
- Sets the federal share of any highway, highway safety or transit project cost at up to 100 percent during FY 2010 and 2011 except for transit new starts and small starts, which would maintain any previously approved federal share.

Since the baseline for contract authority programs is \$12 billion below the levels to be appropriated in FY 2010 under the Oberstar-Obey plan, however, and since some contract authority has already been obligated in the first two months of FY 2010 under the continuing resolution, the entire \$51 billion would not be internally offset and would need some other form of offset (or political permission to run up the deficit).

The Oberstar-Obey proposal leaves some intriguing questions unanswered. First among them: do Oberstar and Obey have an agreement as to what happens to the budgetary "firewalls" and other protections that currently try to segregate Highway Trust Fund spending from the rest of the budget, once the period of general fund support for these programs ends and the Trust Fund takes back over? After a full two years of being fully supported by general revenues instead of taxes on highway users, the arguments in favor of segregating the Trust Fund due to its former "user pays" status would be laughable.

And would a natural consequence of such an arrangement be the implementation of the budget scorekeep-

ing change proposed by the White House earlier this year, that basically abolishes contract authority as a meaningful budgetary concept?

Senate Majority Whip Richard Durbin (D-IL) has been tasked by the Majority Leader to organize the Senate stimulus package and has been working with the (numerous) committees of jurisdiction to do so. The Senate does not seem to be quite as far along as the House in sending detailed proposals back and forth. But we believe that any Senate counter-offer to the House offer (and it is far from certain that the Oberstar-Obey proposal has the full backing of the House Democratic leadership) would reject the switch-over to general fund financing of highways and transit.

The Senate is, however, more likely to propose some kind of national infrastructure bank as a part of its stimulus plan, due primarily to the fact that the principal Senate proponent of such a bank, Chris Dodd (D-CT), is chairman of the Banking Committee and has a seat at the negotiating table.

Although the President did not directly mention it in his speech yes-

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# Highways & Jobs

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terday, the accompanying fact sheet put out by the White House says that “The Administration supports financing infrastructure investments in new ways, allowing projects to be selected on merit and leveraging money with a combination of grants and loans as was done through the Recovery Act’s TIGER program.”

The portion of President Obama’s speech dealing with infrastructure was fairly brief and follows in its entirety:

Second, we’re proposing a boost in investment in the nation’s infrastructure beyond what was included in the Recovery Act, to continue modernizing our transportation and communications networks. These are needed public works that engage private sector companies, spurring hiring all across the country.

Already, more than 10,000 of these projects have been funded through the Recovery Act. And by design, Recovery Act work on roads, bridges, water systems, Superfund sites, broadband networks, and clean energy projects will all be ramping up in the months ahead. It was planned this way for two reasons: so the impact would be felt over a two-year period; and, more importantly, because we wanted to do this right.

The potential for abuse in a program of this magnitude, while operating at such a fast pace, was enormous. So I asked Vice President Biden and others to make sure to the extent humanly possible that the investments were sound, the projects worthy, and the execution efficient. What this means is that we’re going to see even more work -- and workers -- on recovery projects in the next six months than we saw in the last six months.

Even so, there are many more worthy projects than there were dollars to fund them. I recognize that by their nature these projects often take time, and will therefore create jobs over time. But the need for jobs will also last beyond next year and the benefits of these investments will last years beyond that. So adding to this initiative

## OBERSTAR-OBEY SURFACE TRANSPORTATION PLAN (DRAFT)

All sums provided by the draft legislation are budget authority from the general fund of the Treasury except for \$501 million of the \$639 million in mandatory contract authority from the Highway Trust Fund for the equity bonus program in FY 2010 (the other \$138 million was provided by the CR).

	<u>FY 2010</u>	<u>FY 2011</u>	<u>Total</u>
<b>Title I - Surface Extension</b>			
FHWA (GF BA)	\$ 41,107,000,000	\$ 41,107,000,000	\$ 82,214,000,000
FHWA (Mand. EB CA)	\$ 500,695,890	\$ -	\$ 500,695,890
NHTSA (GF BA)	\$ 790,264,000	\$ 921,447,000	\$ 1,711,711,000
FTA (GF BA)	\$ 8,343,171,000	\$ 8,343,171,000	\$ 16,686,342,000
FMCSA (GF BA)	\$ 596,110,000	\$ 695,065,000	\$ 1,291,175,000
<b>Subtotal, Title I</b>	<b>\$ 51,337,240,890</b>	<b>\$ 51,066,683,000</b>	<b>\$ 102,403,923,890</b>
<b>Title II - Further Stimulus</b>			
Highway/Rail/Port Infra.	\$ 15,490,061,000	\$ -	\$ 15,490,061,000
Grants to Amtrak	\$ 1,000,000,000	\$ -	\$ 1,000,000,000
Transit Capital Assistance	\$ 4,000,000,000	\$ -	\$ 4,000,000,000
Transit Rail Modernization	\$ 1,200,000,000	\$ -	\$ 1,200,000,000
Transit New Starts	\$ 547,000,000	\$ -	\$ 547,000,000
<b>Subtotal, Title II</b>	<b>\$ 22,237,061,000</b>	<b>\$ -</b>	<b>\$ 22,237,061,000</b>
<b>Total, USDOT</b>	<b>\$ 73,574,301,890</b>	<b>\$ 51,066,683,000</b>	<b>\$ 124,640,984,890</b>

*Note: the draft plan rescinds all unobligated contract authority provided by the FY 2010 continuing resolution except for the mandatory equity bonus portion for highways, which it extends for a full year. So total budget authority provided for FY 2010 will be higher than the above numbers because these numbers do not include actual obligations under the CR, which are not yet known. The following totals are the maximum amount of contract authority made available for expenditure under the CR. The actual obligations will be less than these amounts, perhaps a good deal less (except for the exempt FHWA portion, which is mandatory spending and good to go forever) - there is no way to tell how much will be obligated by the date of enactment of the Oberstar-Obey plan.*

<b>CA Provided by CR to Dec 18</b>	<b><u>FY 2010</u></b>
FHWA HTF CA Subj. to Lim.	\$ 6,610,962,052
FHWA HTF CA Exempt	\$ 138,304,110
FTA HTF CA	\$ 1,809,546,945
NHTSA HTF CA	\$ 142,277,052
FMCSA HTF CA	\$ 105,590,537
<b>Total, Max Provided by CR</b>	<b>\$ 8,806,680,697</b>

to rebuild America’s infrastructure is the right thing to do.

As part of this debate, Oberstar and his Highways and Transit Subcommittee chairman, Peter DeFazio (D-OR) held a press conference last week where they released a letter they had sent to President Obama.

The letter gives details on the dire job market in the construction sector, lists successes of the first stimulus law, and says that “of the \$34.3 billion provided for highway and transit formula programs under the Recovery Act, \$24.5 billion, or 71 percent, has been put out to bid on 10,329 projects, as of October 31,

2009. Within this total, 8,871 projects (totaling \$20.2 billion) are under contract. Across the nation, work has begun on 7,886 projects totaling \$18.6 billion — that is more than one-half of the total available highway and transit formula funds.

“The 7,886 highway and transit projects have created or sustained more than 210,000 direct, on-project jobs, as of October 31, 2009. Total employment from these projects, which includes direct, indirect, and induced jobs, reaches nearly 630,000 jobs.”

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## Highways & Jobs

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The Oberstar-DeFazio press conference was also to receive new analyses from the association of state DOTs (AASHTO) and the American Public Transportation Association about how many transportation projects remain that are through the permitting process and right-of-way acquisition phases and could be put out for bid within 120 days if money were available. (Senate Environment and Public Works chairman Barbara Boxer (D-CA) also held a similar event on the same day at the same time to receive the same analyses.)

The AASHTO survey found that the following projects are “ready to go”:

- 7,497 highway projects at an estimated cost of \$47.26 billion.
- 983 transit projects at an estimated cost of \$9.77 billion.
- 234 rail projects at an estimated cost of \$3.49 billion.
- 80 port projects at an estimated cost of \$580 million.
- 528 aviation projects at an estimated cost of \$1.81 billion.
- 266 miscellaneous intermodal transportation projects at an estimated cost of \$6.63 billion.

The totals: 9,588 projects totaling \$69.55 billion.

APTA’s analysis differed from AASHTO’s. APTA’s press release (they did not issue a full report) said that there were “more than \$15 billion” in transit projects that could be ready to go within 90 days. This is \$5.2 billion higher than the AASHTO number and in a time frame that is 30 days shorter.

The table below provides the latest look at how quickly the various transportation and public works accounts provided by the first stimulus bill are spending out.

An article on the following page looks at the history of efforts to waive the state or local matching share of highway project costs as a means of economic stimulus.

### OBLIGATION AND OUTLAY OF MAJOR TRANSPORT./PUBLIC WORKS STIMULUS FUNDING

(Millions of Dollars, as of Close of Business for the Week Ending Nov. 27, 2009)

<u>Agency</u>	<u>Bureau</u>	<u>Account</u>	<u>Total Provided</u>	<u>Obligated 11/27/2009</u>	<u>Oblig. % of Total</u>	<u>Outlays 11/27/2009</u>	<u>Outlay % Of Total</u>
DOT	FHWA	Highways	27,500	21,706	78.9%	4,600	16.7%
DOT	FTA	Transit - Capital Formula	6,900	6,269	90.8%	848	12.3%
DOT	FTA	Transit - Rail Mod	750	739	98.5%	102	13.6%
DOT	FTA	Transit - New Starts	750	468	62.4%	400	53.3%
DOT	OST	Multimodal Discr. Grants	1,500	0	0.0%	0	0.0%
DOT	FAA	Airport Grants	1,100	1,091	99.2%	387	35.2%
DOT	FRA	High-Speed Rail	8,000	2	0.0%	1	0.0%
DOT	FRA	Grants to Amtrak	1,300	1,294	99.5%	166	12.8%
DOT	Other	Other USDOT	320	202	63.3%	11	3.6%
<b>Total, USDOT</b>			<b>48,120</b>	<b>31,770</b>	<b>66.0%</b>	<b>6,515</b>	<b>13.5%</b>
DOD	USACE	Construction	2,000	941	47.0%	153	7.7%
DOD	USACE	Operations and Mainten.	2,075	1,377	66.4%	314	15.1%
DOD	USACE	Investigations	25	15	59.9%	3	12.3%
DOD	USACE	Mississippi River System	375	188	50.2%	89	23.7%
DOD	USACE	Former Site Cleanup	100	90	89.9%	2	2.2%
DOD	USACE	Regulatory Program	25	9	37.1%	5	21.4%
<b>Total, Corps of Eng.</b>			<b>4,600</b>	<b>2,621</b>	<b>57.0%</b>	<b>566</b>	<b>12.3%</b>
DHS	TSA	Aviation Security	1,000	579	57.9%	42	4.2%
DHS	FEMA	State & Local Programs	300	300	100.0%	0	0.0%
DHS	USCG	Acquisit, Constr. & Improv.	98	13	13.7%	1	0.6%
DHS	USCG	Alteration of Bridges	142	142	100.0%	0	0.2%
EPA		State & Tribal Asst. Grants	6,400	6,214	97.1%	369	5.8%

## Congress May Consider Temporary Waiver of State Transport. Cost Share

A little over fifty years ago, according to the official history of the Federal Highway Administration, "In 1958 the Nation found itself in the grip of an extended economic recession, and acceleration of the Federal-Aid Highway program was considered as one means to hasten recovery." As a result, the Federal-Aid Highway Act of 1958 (P.L. 85-381) provided significant increases in Interstate and non-Interstate highway funds apportioned to states (and temporarily suspended the pay-as-you-go "Byrd Test" provision to prevent the Highway Trust Fund from running a negative balance).

However, states would have trouble coming up with their matching share for non-Interstate projects (which was 50 percent in those days) on short notice, so the law also made available an additional \$115 million in highway contract authority for states to use as part of their matching share (to a maximum federal share of two-thirds of total project cost). The increased federal cost share money was to be repaid through two equal installments through deductions of regular formula apportionments in FY 1961 and 1962.

History may be about to repeat itself. House Majority Leader Steny

Hoyer (D-MD) said last Friday that a temporary waiver of the requirement that states put up any matching share at all for federal-aid highway projects may be included as part of the second economic stimulus bill in the coming weeks, and a draft plan by chairmen Oberstar (D-MN) and Obey (D-WI) would allow a federal share of up to 100 percent for the remainder of fiscal year 2010 and for fiscal year 2011 for highway and transit projects (except for transit new starts and small starts). (At present, the standard state/local share of non-Interstate projects is 20 percent but is less in states with lots of federally owned lands.)

The 1958 experience was fondly remembered to the point that Congress has tried it three more times:

**1975** - Public Law 94-30 allowed states to use years worth of previously impounded highway funds that were released as a consequence of the enactment of the Budget Act and Congress's rejections of proposed deferrals. It increased the federal share to up to 100 percent of a project's cost, as necessary, from February 12, 1975 to September 30, 1975. Section 2 of the law required states to pay the money back into the Highway Trust Fund before January 1, 1977 or face a "death penalty" - the total shutdown of all

new project approvals by FHWA.

**1982** - the Surface Transportation Assistance Act of 1982 (PL 97-424, actually enacted January 6, 1983) in section 145 temporarily waived state matching fund requirements during the remainder of FY 1983 and FY 1984 (allowing a federal cost share of up to 100 percent). The total amount obligated for qualifying projects in any state was capped at the state's FY 1983 obligation authority under the Act plus exempt minimum allocation, minus the state's (much lower) FY 1982 obligation authority. States were required to repay the excess share money to the HTF by September 30, 1984, or else have the money deducted from their FY 1985 and FY 1986 apportionments.

**1991** - the Intermodal Surface Transportation Efficiency Act of 1991 (PL 102-240) in section 1054 allowed a federal share of project costs of up to 100 percent during the period from October 1, 1991 to September 30, 1993. Funds were to be repaid to the HTF prior to March 30, 1994. If not, the amounts were to be deducted from the state's FY 1994 and 1995 apportionments.

### PREVIOUS TEMPORARY WAIVERS OR REDUCTIONS OF STATE MATCHING SHARES OF FEDERAL-AID HIGHWAY PROJECTS

<u>Year</u>	<u>Public Law</u>	<u>Sec.</u>	<u>Temporary Fed. Share?</u>	<u>Duration?</u>	<u>Repayment to Federal Government By?</u>
1958	85-381	2	Two-thirds	4/16/1958-11/30/1958	Automatic deduction from FY 1961 and 1962 apportionments.
1975	94-30	1, 2	100 percent	2/12/1975-6/30/1975	States pay back the HTF by 1/1/1977 or else face "death penalty."
1983	97-424	145	100 percent	1/6/1983-9/30/1984	States pay back the HTF by 9/30/1984 or else face automatic deduction from FY 1985 and 1986 apportionments.
1991	102-240	1054	100 percent	10/1/1991-9/30/1993	States pay back the HTF by 3/30/1994 or else face automatic deductions from FY 1995 and 1996 apportionments.

## NEW AND NOTABLE ON THE INTERNET

### AASHTO Survey of Ready-to-Go Projects

The summary of the latest AASHTO survey of ready-to-go surface transportation projects is here:

[http://news.transportation.org/press\\_release.aspx?Action=ViewNews&NewsID=273](http://news.transportation.org/press_release.aspx?Action=ViewNews&NewsID=273)

### Consolidated Appropriations Act for FY 2010

The full text of the consolidated appropriations conference report, including the Transportation-HUD bill, can be found online here:

[http://www.rules.house.gov/bills\\_details.aspx?NewsID=4520](http://www.rules.house.gov/bills_details.aspx?NewsID=4520)

### FAA Extension

The text of the three-month FAA extension that passed the House yesterday is here:

[http://transportation.house.gov/Media/file/press/HR4217\\_FAA%20Extension%20Act%20FY2010%20Part%20II.pdf](http://transportation.house.gov/Media/file/press/HR4217_FAA%20Extension%20Act%20FY2010%20Part%20II.pdf)

### House Transportation and Infrastructure Committee

The text of Chairmen Oberstar and DeFazio's letter to the President on infrastructure stimulus is here:

<http://transportation.house.gov/Media/file/ARRA/POTUS%20Letter%20120209.pdf>

### Senate Commerce, Science and Transportation Committee

Archived video and prepared testimony from the committee's recent hearing on transportation security can be found here:

[http://commerce.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing\\_ID=50d056de-f970-47f0-bca2-b2d5eda18390](http://commerce.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing_ID=50d056de-f970-47f0-bca2-b2d5eda18390)

Archived video and prepared testimony from the committee's recent hearing on pilot fatigue can be found here:

[http://commerce.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing\\_ID=fb291c8f-fcf1-4602-aebf-77a1e2289b85](http://commerce.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing_ID=fb291c8f-fcf1-4602-aebf-77a1e2289b85)

## STATUS OF PENDING TRANSPORTATION-RELATED NOMINATIONS

Agency	Nominee	Position	Senate Committee	Latest Action
DOT—Federal Aviation Administration	Michael Huerta	Deputy Administrator	Commerce, Science and Transportation	Nomination announced 12/7/2009
DOT—Maritime Administration	David Matsuda	Administrator	Commerce, Science and Transportation	Nomination announced 12/7/2009
DOT-National Highway Traffic Safety Admin.	David Strickland	Administrator	Commerce, Science and Transportation	Nomination transmitted 12/4/09
Amtrak Board of Directors	Anthony Coscia	Director for a term of five years	Commerce, Science and Transportation	Nomination reported 12/3/09
Amtrak Board of Directors	Albert DiClemente	Director for rest of a term expiring 7/26/2011	Commerce, Science and Transportation	Nomination reported 12/3/09
National Transport. Safety Board	Mark R. Rosekind	Member for a term expiring 12/31/2014	Commerce, Science and Transportation	Nomination reported 12/3/09
Department of Homeland Security	Erroll Southers	Assistant Secretary for Transport. Security	Commerce <i>and</i> Homeland Security	Nomination reported 11/19/09

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**THIS WEEK IN COMMITTEE**

**Tuesday, December 8, 2009** – House Transportation and Infrastructure — Subcommittee on Highways and Transit — subcommittee hearing on the federal role in public transportation safety regulation – *10:00 a.m., 2167 Rayburn.*

Committee of conference — meeting of House and Senate conferees on H.R. 3288, Transportation-HUD appropriations (omnibus vehicle) — *6:30 p.m., S-207, The Capitol.*

**Wednesday, December 9, 2009** — House Transportation and Infrastructure — Subcommittee on Coast Guard and Maritime Transportation — subcommittee hearing on maritime domain awareness — *2:00 p.m., 2167 Rayburn.*

House Rules — full committee hearing on the conference report on the omnibus appropriations bill (H.R. 3288) — *time TBA, H-313, The Capitol (TENTATIVE).*

**Thursday, December 10, 2009** — Senate Banking, Housing and Urban Affairs — Subcommittee on Housing, Transportation and Community Development — subcommittee hearing on the federal role in public transportation safety regulation — *9:30 a.m., SD-538 Dirksen.*

House Transportation and Infrastructure — full committee hearing on the progress of the Recovery Act — *10:00 a.m., 2167 Rayburn.*

Senate Commerce, Science and Transportation — Subcommittee on Aviation Operations, Safety and Security — subcommittee hearing on aviation safety focusing on FAA safety initiatives — *10:00 a.m., SR-253 Russell.*

**STATUS OF MAJOR TRANSPORTATION BILLS — 111<sup>th</sup> CONGRESS**

BILL	HOUSE ACTION	SENATE ACTION	RESOLUTION
<b>Economic Stimulus Appropriations &amp; Tax Cuts</b>	H.R. 1 conference report passed House 2/13/09 by 246-183-1	H.R. 1 conference report passed Senate 2/13/09 by a vote of 60-38	Public Law 111-5 2/17/09
<b>FY 2010 Congressional budget resolution</b>	H. Con. Res. 85 passed House 4/2/09 by vote of 233-196	S. Con. Res. 13 passed Senate 4/2/09 by vote of 55-43	Conference report (H. Rept. 111-89) agreed to 4/29/09
<b>FY 2010 Transportation-HUD Appropriations</b>	H.R. 3288 passed House 7/23/09 by a vote of 256-168	H.R. 3288 passed Senate amended 9/17/09 by vote of 73-25	Conference report filed 12/8/09 H. Rept. 111-366
<b>FY 2010 Energy and Water Appropriations</b>	H.R. 3183 passed House 7/17/09 by a vote of 320-97	H.R. 3183 passed Senate amended 7/29/09 by vote of 85-9	Public Law 111-85 10/28/09
<b>FY 2010 Homeland Security Appropriations</b>	H.R. 2892 passed House 6/24/09 by a vote of 389-37	H.R. 2892 passed Senate amended 7/9/09 by a vote of 84-6	Public Law 111-83 10/28/09
<b>Federal Aviation Admin. Reauthorization Bill</b>	H.R. 915 passed House 5/22/09 by a vote of 277-136	S. 1451 reported 9/29/09 S. Rept. 111-82	
<b>Surface Transportation Reauthorization Bill</b>	Subcommittee marked up draft bill on 6/24/09		
<b>Short-Term Extension of Surface Transportation Laws</b>	H.R. 3617 passed House 9/23/09 by a vote of 335-85	S. 1498 reported 7/22/09 S. Rept. 111-59	
<b>Water Resources Development Act</b>	Subcommittee hearing held 11/18/09		
<b>FY 2010 Coast Guard Authorization</b>	H.R. 3619 passed House 10/23/09 by a vote of 385-11	S. 1194 reported 10/30/09 S. Rept. 111-95	
<b>Transportation Security Admin. Reauthorization</b>	H.R. 2200 passed House 6/4/09 by a vote of 397-25		