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Legislative Schedules *Week of January 16, 2006*

House

The House will next meet at noon on Tuesday, January 31, 2006, with no votes until 6:30 p.m.

Senate

The Senate will next convene at noon on Wednesday, January 18, 2006.

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TW Analysis: "Above-the-Line" Highway Earmarks Party, Chamber Approaches Differed On How To Equitably Allocate \$6.9 Billion

The mammoth surface transportation authorization law signed into law last August (Public Law 109-59, also known as SAFETEA-LU) drew widespread attention for its 5,091 earmarked "high priority" highway projects totaling \$14.8 billion.

However, an October 2005 debate in the Senate (regarding whether or not to transfer earmarked high priority project funding from two Alaska bridge projects to Louisiana to rebuild the Interstate 10 Twin Spans bridge) revealed an important fact about the \$14.8 billion in HPP funding — it is "below the line," meaning that it is factored into the overall

formula funding guaranteed to each state under the bill. For most states, if their high priority projects are repealed, the equity bonus provisions of 23 U.S.C. §105 simply add extra formula money to the state's apportionment to bring that state back up to its guaranteed share of the program (or annual total dollars, as the case may be).

The result: it is almost impossible to repeal, transfer or cut below-the-line project funding without (a.) changing the funding formula totals of not just that state but many other states and (b.) possibly increasing total authorized highway funding levels.



The SAFETEA-LU law provides a cautionary tale of what can happen when you give away \$6.9 billion in "above-the-line" highway earmarks that are not tied to a state's formula funding.

This is also why many state DOTs dislike high priority projects — the money for those projects can, in effect, crowd out other formula-funded projects that are higher on the state priority list but

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Hill Leadership Races: Secret Ballots, Tight Margins



The recent decision by House Majority Leader Tom DeLay (R-TX) to permanently give up his leadership position has led to a contested race for House Majority Leader and what may be a cascade of other leadership races. This calls attention to the rich tradition of Congressional leadership races, which are not like any of the traditional means by

which Congress handles its business.

So far, GOP Reps. Roy Blunt (R-MO), John Boehner (R-OH), and John Shadegg (R-AZ) are competing to fill the Majority Leader slot, which Blunt has held on an acting basis since DeLay was indicted in Texas on campaign finance violation charges on September 28.

Contested leadership

elections have been the way by which party caucuses, every so often, upset the natural trend towards upward mobility in leadership positions.

While all party leadership positions must be formally ratified by election in the respective party caucuses every two years (prior to the start of each Congress), this is often done by acclama-

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Above-the-Line \$\$\$

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which did not get earmarks. Several state DOT representatives complained about this at the AASHTO annual meeting last September. (*Ed. Note:* according to articles in the *Anchorage Daily News*, some Alaska state legislators were upset that Alaska's below-the-line bridge earmarks were forcing that state's DOT to put other needed projects on the back burner, which may be a reason why Sen. Ted Stevens (R-AK) allowed the Senate to transfer that money from the bridges to Alaska's general formula fund).

However, there is another kind of earmarked money that is *not* held against a state's formula apportionment — "above the line" funding which is outside the scope of the equity bonus program. Above-the-line earmarks are, effectively, free money for states and their legislators.

A *Transportation Weekly* analysis shows that title I of SAFETEA-LU (the non-research funding section for the Federal Highway Administration) contained \$6.9 billion in above-the-line earmarks. Months of painstaking research have allowed us to attribute most of the large above-the-line earmarks to individual members of Congress. And the analysis shows that the Republican and Democratic parties in the House and Senate took very different approaches to distributing their money.

A little background: in the 1987 and 1991 highway bills, all earmarks were above the line. This angered "donor state" lawmakers who felt that they were not getting their fair share of the overall amount of highway money, so in 1998, they won a key victory and had TEA21's \$9.4 billion in high priority projects placed below the line. TEA21's \$250 million or so in miscellaneous earmarks were above the line, as was the \$900 million for the Woodrow Wilson Bridge.

The Wilson Bridge money illustrates the best argument for an

above-the-line earmark: some projects are so big that to give them designated federal funding below the line would destroy their entire highway program.

As the table at right shows, most of the other above-the-line money funds things that either benefit the highway program as a whole (administrative expenses, research, innovative financing) or which specifically benefit certain areas and should not complicate the formula calculations for other areas (federal lands highways, Puerto Rico).

TEA21 left several discretionary programs above the line so that DOT could make annual allocations based on need. But starting in 2000, the Appropriations Committees began earmarking all of the above-the-line money that TEA21 left laying around, infuriating the authorizing committees. Accordingly, the authorizers earmarked a great deal more above-the-line money in SAFETEA-LU, both because it was "free money" and so that the appropriators could not earmark it later.

When coming to their "global agreement" on the structure of SAFETEA-LU last summer, senior negotiators from the House Transportation and Infrastructure and Senate Environment and Public Works Committee agreed in principle that the final bill would contain \$14.8 billion in below-the-line high priority projects, split 60-40 between the House and Senate, and that about \$7 billion in above-the-line money would be earmarked and split 50-50 between the chambers. This appears to have been borne out in the final legislation.

Amounts and accounts. We have added up \$6.9 billion in earmarked above-the-line contract authority in title I of Public Law 109-59. The primary locations and amounts are:

- "Transportation Improvements" (sec. 1934) — \$2.555 billion.
- "National Corridor Infrastructure Improvement Program" (sec. 1302) — \$1.948 billion.
- "Projects of National and Re-

HIGHWAY FUNDING: ABOVE & BELOW THE LINE

The following table shows the dollar amounts, in billions of dollars of contract authority, for various highway programs under FHWA over the life of the SAFETEA-LU law. "Below the line" funding is subject to scope of the equity bonus program for determining total state apportionments, while "above the line" programs are not.

TOTAL: \$201.6 BILLION	
Earmarks	6.9
Fed Lands	4.5
Research	2.3
"Above the Line"	
Admin. Exp.	1.8
Puerto Rico	1.8
9.8%	
TIFIA	0.6
Other	1.6
Total	19.6
<hr/>	
Earmarks	14.8
"Below the Line"	
Big 5 Formula	115.5
Equity Bonus	40.9
90.2%	
Other Formula	10.7
Total	182.0

gional Significance" (sec. 1301) — \$1.779 billion.

- Set-asides from the highway bridge program (sec. 1114(e)) — \$400 million.
- "Nonmotorized Pilot Program" (sec. 1807) — \$100 million.
- Other miscellaneous title I earmarks — \$119 million.

Chamber split. None of these accounts or their projects are labeled "House" or "Senate" or "Republican" or "Democrat." However, there are other clues in the bill as to who funded what.

Specifically, the House and Senate could not agree on how much flexibility states could have in moving earmarked money around, so the bill treats House and Senate projects differently. Section 1935 of the bill says that high priority projects #s 1-3676, PNRS projects #s 1-18, and corridor projects #s 1-27 are to be treated one way, while HPPs

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Above-the-Line \$\$\$

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#s 3677-5173, PNRs projects #s 19-25, corridor projects #s 28-33, and all transportation improvements are to be treated another way.

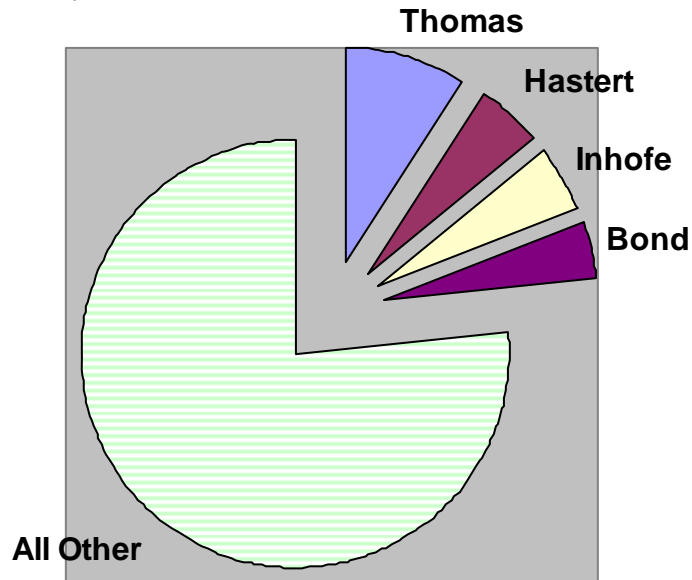
Since HPPs #s 1-3676 were in the version of the bill originally passed by the House, this is a clear sign that the aforementioned projects in the first parts of the lists were House money and that the remainder is Senate money. (*Ed. Note:* in addition to the flexibility provisions of sec. 1935 and sec. 1102(c)(4), if one looks at the actual physical papers of the conference report (before repagination by GPO), one can see that the House and Senate project lists were separate pieces of paper.)

There is one caveat to this: in the transportation improvements, the appearance of the papers makes it clear that the original Senate list was only 428 projects long and that the last 37 projects were added separately. The first 28 of those were projects for U.S. territories originally contained in the House bill (since territories are not part of the funding formulas, it doesn't make sense to fund their earmarks below the line) — \$16 million apiece for the Democratic Delegates from Guam, American Samoa, and the Virgin Islands, \$36.1 million for the Republican Resident Commissioner from Puerto Rico (a T&I member) and \$12 million for a project on Saipan in the Northern Marianas Islands (which do not have formal representation in Congress — an August 13, 2005 article in the *Saipan Tribune* credited T&I chairman Don Young (R-AK) for the money). The last ten transportation improvements are apparently House GOP projects — six of the ten were claimed in press releases by Republicans, notably Richard Pombo (R-CA), and two of the others were the subject of local newspaper articles crediting Young.

Party split. Having established which chamber got which projects in the big accounts, one tries to allocate them by party. This is fairly

IT'S LONELY AT THE TOP

Almost 25 percent of the \$6.9 billion in "above-the-line" highway earmarks in SAFETEA-LU went to just four members of Congress: Ways and Means Chairman Bill Thomas (R-CA), House Speaker Dennis Hastert (R-IL), Senate Public Works Chairman Jim Inhofe (R-OK), and Senate Transportation Subcommittee chair Kit Bond (R-MO).



easy in the PNRs and corridor accounts because the projects go in order—House GOP first, then House Democrat, then Senate GOP, then Senate Democrat.

Party analysis is harder in the Senate because \$2.4 billion of the Senate's \$3.2 billion in above-the-line money went into that chamber's 428 transportation improvement projects, which were alphabetized by state, making it impossible (with a few exceptions) to know for sure which Senator was responsible for the money and, in states where one Senator is of each party, blurring the party split.

The House's \$3.69 billion was split on a 55-45 basis between the Republican side and the Democratic side. While we cannot add up the Senate party numbers ourselves for the reasons listed above, staff sources believe that this was the Senate party split as well (which would make sense, since the Senate itself is divided 55-45).

Party priorities. Having identified many of the above-the-line earmarks by state and party, certain patterns and priorities become clear.

The Senate distributed its above-the-line money much more widely than did the House. A total of 44 states received some kind of above-the-line earmark out of the Senate allocation. In contrast, the House money was much more concentrated, with just 26 states (plus the District of Columbia and the territories) receiving earmarks.

Since above-the-line earmarks are free money (the best kind), it is not surprising that this is where most senior members of the authorizing committees, and party leaders, chose to get their money. But with a few exceptions, the Senate emphasized relatively smaller individual earmarks in a wider number of states, while the House concentrated its money in a few districts.

This is reflected in the size of the typical above-the-line project. The average project size of a Senate above-the-line earmark was \$7.1 million. However, the average is high because of a few relatively large Senate megaprojects. The median size of a Senate project is \$2.9 million. (Median means if you rank a group of numbers in order,

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Above-the-Line \$\$\$

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the median is the number in the middle of the list, and is a better tool for getting a representative number out of a long list). By contrast, the House list has an average project size of \$38.5 million and a median project size of \$11 million.

Both parties in the Senate appear to have given its money out based on traditional factors like seniority on the EPW committee, leadership position, seniority in the chamber, chairmanship (or ranking membership) on other powerful committees, and being an in-cycle Senator with a tough election. The top five states with Senate above-the-line earmarks were all well-represented on the EPW panel in 2004-2005:

TOP FIVE SENATE

Oklahoma	\$ 340,000,000
Missouri	\$ 300,000,000
Vermont	\$ 172,000,000
Montana	\$ 153,625,000
Nevada	\$ 150,000,000

Beyond the top five, the Senate list (see page ten) makes clear that money was given out to Senators in rounded chunks of \$10, \$15 or \$20 million each (more for EPW folks).

Since state formula totals are more important in the Senate, some above-the-line money was also used to assuage Senators unhappy with their apportionments.

By contrast, a combination of factors led to an amazingly high concentration of the House money in just two states...

TOP FIVE HOUSE

California	\$1,212,000,000
Illinois	\$ 622,000,000
Oregon	\$ 200,000,000
Louisiana	\$ 175,000,000
Alaska	\$ 169,950,000

Two men — Ways and Means Chairman Bill Thomas (R-CA) and Speaker Dennis Hastert (R-IL) — between them took home an astonishing **48 percent** of all the House GOP above-the-line money. Thomas got \$630 million (31%) of the Republicans' \$2.04 billion, while Hastert got \$347 million (17%).

Thomas's take in particular came as a shock to other California Republicans who were pushing for money for other Golden State priorities like the Alameda Corridor East, which Young declined to fund (Young's counterpart Jim Oberstar (D-MN) gave the project \$125 million in Democratic money).

In general, House Democrats appear to be the only ones who focused on true "projects of national and regional significance," funding such bipartisan priorities as the Alameda Corridor and the Chicago rail relocation project, and freight movement projects in New York/New Jersey and Los Angeles which look to have a significant national impact on freight mobility (which was the top priority of the U.S. Chamber of Commerce in the last cycle, but as one GOP aide once said, "freight don't vote"). Young did give \$100 million for the Virginia I-81 dedicated truck lane project, however, and to a few multi-state projects (although \$50 million across six states for Interstate 69 is a drop in the bucket).

(*Ed. Note:* it does help that the senior ranks of T&I Democrats include representatives from urban areas with heavy vehicular and freight congestion).

Tables and analysis follow, as listed below.

The following pages contain tabular or analytical data:

Page 5—summary of the earmarks of the top five individual member recipients.

Pages 6-8 — attribution of major earmarks to individual members.

Page 9 — state-by-state House totals.

Page 10 — state-by-state Senate totals.

ABOVE-THE-LINE EARMARKS OF \$100 MILLION OR MORE IN TITLE I OF SAFETEA-LU

<u>Rank</u>	<u>Amount</u>	<u>Citation</u>	<u>State</u>	<u>Project Description</u>	<u>Chamber</u>	<u>Member</u>
1	\$ 330,000,000	Corridor #4	CA	Bakersfield Centennial Loop	House	Thomas (R)
2	\$ 160,000,000	PNRS #8	OR	I-5 corridor bridges	House	DeFazio (D)
3	\$ 152,000,000	Corridor #10	IL	I-80 to I-88 North-South Connector	House	Hastert (R)
4 (tie)	\$ 150,000,000	PNRS #10	IL	Mississippi River Bridge	House	Costello (D)
4 (tie)	\$ 150,000,000	Corridor #8	LA	I-49, AR Line to Shreveport	House	McCrary (R)
6 (tie)	\$ 140,000,000	PNRS #1	CA	Bakersfield Beltway System	House	Thomas (R)
6 (tie)	\$ 140,000,000	PNRS #5	IL	O'Hare Bypass, Elgin Extension	House	Hastert (R)
8	\$ 125,000,000	PNRS #9	CA	Alameda Corridor East	House	SoCal Dem Delegation
9	\$ 120,000,000	PNRS #25	WA	Alaska Way Viaduct	Senate	Murray (D)/Cantwell(D)
10 (tie)	\$ 110,000,000	Corridor #33	OK	I-44 in Tulsa	Senate	Inhofe (R)
10 (tie)	\$ 110,000,000	TransImp #323	OK	I-40 Crosstown Realignment	Senate	Inhofe (R)
12 (tie)	\$ 100,000,000	PNRS #7	IL	CREATE (Chicago rail relocation)	House	Lipinski (D)
12 (tie)	\$ 100,000,000	PNRS #12	NY	Cross Harbor Freight, NYC	House	Nadler (D)
12 (tie)	\$ 100,000,000	PNRS #13	WA	Alaska Way Viaduct	House	McDermott(D)/Larsen(D)
12 (tie)	\$ 100,000,000	PNRS #14	CA	Desmond Bridge-710 Gateway Project	House	Millender-McDonald (D)
12 (tie)	\$ 100,000,000	PNRS #18	NJ	Liberty Corridor	House	Menendez (D)
12 (tie)	\$ 100,000,000	Corridor #5	VA	I-81 Dedicated Truck Lanes	House	Young (R)
12 (tie)	\$ 100,000,000	Corridor #6	CA	S.R. 178, Bakersfield	House	Thomas (R)
12 (tie)	\$ 100,000,000	Corridor #18	CA	I-405 HOV Lanes	House	Berman (D)
12 (tie)	\$ 100,000,000	Corridor #31	TN	I-69	Senate	Frist (R)
TOTAL	\$ 2,587,000,000					

Top Five SAFETEA-LU Highway Earmark Recipients and What They Got

The top five recipients of earmarked funding in the SAFETEA-LU law took home between \$2.6 and \$2.7 billion in projects for their home states or districts, a *Transportation Weekly* analysis reveals.

House Ways and Means Chairman Bill Thomas (R-CA) took home an astounding \$755 million — \$630 million in “above-the-line” money that is not held against a state’s share of formula money, along with at least \$125 million in high priority projects which are considered a part of a state’s formula apportionment. Thomas might have more HPP money, but since the 3,594 House HPPs were deliberately put in random order and are not identified by member district, identifying all of a member’s HPPs in a 54-member state like California is next to impossible.

House Transportation and Infrastructure Chairman Don Young (R-AK) took home at least \$557 million, with only \$145 million above the line but \$412 million in HPPs (identifiable because Alaska only has one representative). While Young’s sizeable HPP earmarks for two Alaska bridges have been repealed, that money stays in Alaska at state DOT discretion and is still reflected in Young’s HPP total.

Senate Environment and Public Works Chairman Jim Inhofe (R-OK) took home \$485 million, \$340 million above-the-line and \$145 million below. (Identifying Inhofe’s HPPs and transportation improvements is easy because his home-state Senate colleague, Tom Coburn (R-OK), claims to have had no earmarks in the bill).

House Speaker Dennis Hastert (R-IL) took home \$467 million, with \$347 million of that being above-the-line. (We did not identify all of his HPPs, but Taxpayers for Common Sense claims to have, and their total is reflected at right).

Senate Transportation Subcommittee Chairman Kit Bond (R-MO) took home around \$400 million. (We tried to differentiate his projects from those of his home-state colleague Jim Talent (R) by using Talent’s July 29, 2005 press release. Bond’s total could be off by \$10 to \$12 million either way, as some projects were shared).

Below are listed the five top recipients of SAFETEA-LU highway earmarks as best TW can attribute them, divided into above-the-line and below-the-line funding categories.

Rep. Thomas

PNRS #1	Bakersfield Beltway System	\$	140,000,000
Corridor #4	Bakersfield Centennial Loop	\$	330,000,000
Corridor #6	S.R. 178, Bakersfield	\$	100,000,000
Corridor #7	Rosedale Highway, Bakersfield	\$	60,000,000
Subtotal, Above-the-Line			\$ 630,000,000

HPP #3637	Kern County SR widening	\$	92,000,000
HPP #1043	SR 46, San Luis Obispo County	\$	33,461,000
Subtotal, HPPs (easily identifiable ones only)			\$ 125,461,000

TOTAL, REP. THOMAS (FHWA NON-RESEARCH ONLY) \$ 755,461,000

Rep. Young

Bridge #2	Gravina-Ketchikan Bridge	\$	50,000,000
Corridor #14	Knik Arm Bridge	\$	30,000,000
Sec. 1907	Pavement Marking Study	\$	2,000,000
Sec. 1945	TV Documentary	\$	2,950,000
Sec. 1960	Alaska Denali Commission	\$	60,000,000
Subtotal, Above-the-Line			\$ 144,950,000

Non-Senate HPPs	Various high priority projects in AK	\$	411,700,000
Subtotal, HPPs			\$ 411,700,000

TOTAL, REP. YOUNG (FHWA NON-RESEARCH ONLY) \$ 556,650,000

Sen. Inhofe

Bridge #5	OK State-maintained bridges	\$	50,000,000
Corridor #30	Ports to Plains	\$	35,000,000
Corridor #33	Interstate 44, Tulsa	\$	110,000,000
TransImp #s 323-329	Various transportation improvements	\$	135,000,000
Sec. 1944	Tar Creek, OK Project	\$	10,000,000
Subtotal, Above-the-Line			\$ 340,000,000

HPP #s 4667-4695	Various high priority projects in OK	\$	145,000,000
Subtotal, HPPs			\$ 145,000,000

TOTAL, SEN. INHOFE (FHWA NON-RESEARCH ONLY) \$ 485,000,000

Speaker Hastert

PNRS #5	O'Hare Bypass, Elgin Extension	\$	140,000,000
Corridor #10	I-80 to I-88 North-South Connector	\$	152,000,000
Corridor #12	Route 34 Interchange	\$	55,000,000
Subtotal, Above-the-Line			\$ 347,000,000

HPP #1527	Stearns Road Bridge, Kane Co.	\$	70,400,000
Other HPPs identified by Taxpayers for Common Sense		\$	49,934,000
Subtotal, HPPs			\$ 120,334,000

TOTAL, SPEAKER HASTERT (FHWA NON-RESEARCH ONLY) \$ 467,334,000

Sen. Bond

Bridge #4	Mississippi River Bridge	\$	50,000,000
Sec. 1807	Columbia, MO Nonmotorized Pilot	\$	25,000,000
TransImp #s 211-226	Various transportation improvements	\$	225,000,000
Subtotal, Above-the-Line			\$ 300,000,000

Non-House HPPs	Various high priority projects in MO	\$	160,000,000
Subtotal, HPPs			\$ 160,000,000

SUBTOTAL, MISSOURI SENATE \$ 460,000,000
 Minus approximate Sen. Talent total from his press release \$ (60,000,000)
TOTAL, SEN. BOND (FHWA NON-RESEARCH ONLY) (approx) \$ 400,000,000

ATTRIBUTION OF MAJOR ABOVE-THE-LINE HIGHWAY EARMARKS BY REQUESTING MEMBER(S) OF CONGRESS, PAGE 1 OF 3

The following tables show each major above-the-line earmark in title I of P.L. 109-59 (SAFETEA-LU) attributed to the member(s) most responsible for getting the money. These are based on the classification of projects as House or Senate based on the flexibility provisions in secs. 1102(c)(4)(A) and 1935 of the bill, the contemporaneous press releases and statements of the members themselves, reporting by local news outlets in those areas, and Transportation Weekly's own background research.

<u>#</u>	<u>State</u>	<u>Project Description (abridged)</u>	<u>Amount</u>	<u>Chamber</u>	<u>Sponsoring Member</u>
Bridge Program Set-aside - sec. 1114(e) (23 U.S.C. 114(g))					
<i>House R's - \$110 million; House D's - \$90 million; Senate R's and D's - \$100 million each</i>					
i	CA	Golden Gate Bridge	\$ 50,000,000	House	Pelosi (D)
ii	AK	Gravina-Ketchikan Bridge	\$ 75,000,000	House	Young (R)
iii	NV	Hoover Dam Bridge replacement	\$ 50,000,000	Senate	Reid (D)
iv	MO	Mississippi River Bridge	\$ 50,000,000	Senate	Bond (R)
v	OK	State-maintained bridges	\$ 50,000,000	Senate	Inhofe (R)
vi	VT	Missisquoi Bay Bridge	\$ 18,000,000	Senate	Jeffords (I)
vii	VT	State-maintained bridges	\$ 32,000,000	Senate	Jeffords (I)
viii	IL, IA	Bettendorf, IA - Moline, IL Bridge	\$ 35,000,000	House	Nussle (R)
ix	OR	State-maintained bridges	\$ 40,000,000	House	DeFazio (D)
		Total, Bridge	\$ 400,000,000		
Projects of National and Regional Significance - sec. 1301					
<i>House Republican Projects (#s 1-6) - \$475,000,000</i>					
1	CA	Bakersfield Beltway System	\$ 140,000,000	House	Thomas (R)
2	VA, WV, OH	Heartland Corridor	\$ 90,000,000	House	Multiple members (R)
3	CA	Inland Empire Gateway	\$ 55,000,000	House	Lewis (R)
4	MI	Blue Water Bridge, Port Huron	\$ 20,000,000	House	Candice Miller (R)
5	IL	O'Hare Bypass, Elgin Extension	\$ 140,000,000	House	Hastert (R)
6	WI	Marquette Interchange, Milwaukee	\$ 30,000,000	House	Petri (R)
<i>House Democratic Projects (#s 7-18) - \$1,065,000,000</i>					
7	IL	CREATE (Chicago rail relocation)	\$ 100,000,000	House	Lipinski (D) - Jr. and Sr.
8	OR	I-5 corridor bridges	\$ 160,000,000	House	DeFazio (D)
9	CA	Alameda Corridor East	\$ 125,000,000	House	SoCal Dem Delegation
10	IL	Mississippi River Bridge	\$ 150,000,000	House	Costello (D)
11	CA	Transbay Terminal	\$ 27,000,000	House	Pelosi (D)
12	NY	Cross Harbor Freight, NYC	\$ 100,000,000	House	Nadler (D)
13	WA	Alaska Way Viaduct	\$ 100,000,000	House	McDermott (D)/Larsen(D)
14	CA	Desmond Bridge-710 Gateway Project	\$ 100,000,000	House	Millender-McDonald (D)
15	CO	Denver Union Station	\$ 50,000,000	House	DeGette (D)
16	MN	Union Depot Multimodal Transit	\$ 50,000,000	House	Oberstar (D)/McCollum (D)
17	CA	Sacramento Union Station	\$ 3,000,000	House	Matsui (D)
18	NJ	Liberty Corridor	\$ 100,000,000	House	Menendez (D)
<i>Senate Republican Projects (#s 19-24) - \$119,000,000</i>					
19	NM	El Paso, TX rail relocation	\$ 14,000,000	Senate	Domenici (R)
20	PA	US-422, Montgomery County projects	\$ 20,000,000	Senate	Santorum (R)
21	PA	Route 28, Allegheny County	\$ 15,000,000	Senate	Santorum (R)
22	PA	I-80, Monroe County	\$ 15,000,000	Senate	Santorum (R)
23	SC	I-73 Construction	\$ 40,000,000	Senate	Graham (R)/DeMint (R)
24	VA	Portsmouth Rail Relocation	\$ 15,000,000	Senate	Warner (R)
<i>Senate Democratic Project (#25) - \$120,000,000</i>					
25	WA	Alaska Way Viaduct	\$ 120,000,000	Senate	Murray (D)/Cantwell (D)
		Total, PNRS	\$ 1,779,000,000		

ATTRIBUTION OF MAJOR ABOVE-THE-LINE HIGHWAY EARMARKS BY REQUESTING MEMBER(S) OF CONGRESS, PAGE 2 OF 3

<u>#</u>	<u>State</u>	<u>Project Description (abridged)</u>	<u>Amount</u>	<u>Chamber</u>	<u>Sponsoring Member</u>
National Corridor Infrastructure Improvement Program - sec. 1302					
<i>House Republican Projects (#s 1-18) - \$1,222,000,000</i>					
	TX, AR, MS,				
1	TN, KY, IN	I-69 Planning and Construction	\$ 50,000,000	House	Multiple members (R)
2	LA	Louisiana Highway 1	\$ 20,000,000	House	Tauzin (R-retired)
3	MD	Montgomery-PG Connector	\$ 10,000,000	House	Gov. Ehrlich (R)
4	CA	Bakersfield Centennial Loop	\$ 330,000,000	House	Thomas (R)
5	VA	I-81 Dedicated Truck Lanes	\$ 100,000,000	House	Young (R-AK)
6	CA	S.R. 178, Bakersfield	\$ 100,000,000	House	Thomas (R)
7	CA	Rosedale Highway, Bakersfield	\$ 60,000,000	House	Thomas (R)
8	LA	I-49, AR Line to Shreveport	\$ 150,000,000	House	McCreary (R)
9	AR	I-530, Pine Bluff to Wilmar	\$ 40,000,000	House	Jay Dickey (R-retired)
10	IL	I-80 to I-88 North-South Connector	\$ 152,000,000	House	Hastert (R)
11	WI	US 41 Corridor, Milwaukee-Green Bay	\$ 30,000,000	House	Petri (R)
12	IL	Route 34 Interchange	\$ 55,000,000	House	Hastert (R)
13	CA	I-80 Placer Line to SR 65	\$ 50,000,000	House	Doolittle (R)
14	AK	Knik Arm Bridge (Don Young's Way)	\$ 30,000,000	House	Young (R)
15	IA, IL	I-74 Bridge, Moline-Bettendorf	\$ 15,000,000	House	Nussle (R)
16	AR	I-49 Belle Vista Bypass	\$ 20,000,000	House	Boozman (R)
17	SC	I-73 Corridor	\$ 10,000,000	House	Brown (R)
<i>House Democratic Projects (#s 18-27) - \$423,000,000</i>					
18	CA	I-405 HOV Lanes	\$ 100,000,000	House	Berman (D)
19	AR	I-69 Corridor	\$ 75,000,000	House	Ross (D)/Berry (D)
20	MN	Falls-to-Falls Corridor	\$ 50,000,000	House	Oberstar (D)
21	DC	Frederick Douglass Bridge	\$ 75,000,000	House	Norton (D)/Hoyer (D)
22	CT	Pearl Harbor Memorial Bridge	\$ 35,000,000	House	DeLauro (D)
23	IN	I-80 Improvements	\$ 10,000,000	House	Visclosky (D)
24	CA	S.R. 4 East Upgrades	\$ 20,000,000	House	Tauscher (D)
25	LA	L.A. 1 Replacement	\$ 5,000,000	House	Melancon (D)
26	AZ	S.R. 85 Upgrade	\$ 3,000,000	House	Grijalva (D)
27	WV	I-73/I-74 Corridor	\$ 50,000,000	House	Rahall (D)
<i>Senate Republican Projects (#s 28-33) - \$303,000,000</i>					
28	LA	I-49 N, Shreveport to AR Line	\$ 27,500,000	Senate	Vitter (R)
29	LA	I-49 South Improvements	\$ 27,500,000	Senate	Vitter (R)
30	OK	Ports to Plains Corridor	\$ 35,000,000	Senate	Inhofe (R)
31	TN	I-69	\$ 100,000,000	Senate	Frist (R)
32	CO	US-287 Ports-to-Plains Corridor	\$ 3,000,000	Senate	Allard (R)
33	OK	I-44 in Tulsa	\$ 110,000,000	Senate	Inhofe (R)
		Total, Corridor	\$ 1,948,000,000		
Nonmotorized Pilot Program - sec. 1807					
1	MO	Columbia, MO project	\$ 25,000,000	Senate	Bond (R)
2	CA	Marin County, CA project	\$ 25,000,000	Senate	Boxer (D)
3	MN	Minneapolis, MN project	\$ 25,000,000	House	Oberstar (D)
4	WI	Sheboygan County, WI project	\$ 25,000,000	House	Petri (R)
		Total, Nonmotorized Pilot Program	\$ 100,000,000		

NOTE: of all these projects, we are least certain of the GOP Arkansas and Louisiana corridor projects due to inconsistent and contradictory Member press releases. Here are our surmises: Louisiana: project #2 is in the district previously occupied by former Energy and Commerce chair Billy Tauzin (R); the seat is now held by a Democrat but the project is unquestionably Republican money, and the road in question is even named after Tauzin by sec. 1933 of SAFETEA-LU. Arkansas: project #9 is in the district formerly represented by ex-Rep. Jay Dickey (R-AR); the seat is now held by a Democrat but it's GOP money, and Dickey is a fixture around the Transportation Committee.

ATTRIBUTION OF MAJOR ABOVE-THE-LINE HIGHWAY EARMARKS BY REQUESTING MEMBER(S) OF CONGRESS, PAGE 3 OF 3

#	State	Project Description (abridged)	Amount	Chamber	Sponsoring Member
Transportation Improvements - sec. 1934					
1 thru 428		428 Senate projects in 42 states	\$ 2,393,625,000	Senate	
429 thru 456		28 projects in U.S. territories overseas	\$ 96,111,000	House	
457 thru 466		10 apparent extra House GOP projects	\$ 65,500,000	House	
Total, Transportation Improvements			\$ 2,555,236,000		

Other miscellaneous above-the-line projects in title I

AK		Sec. 1907 Pavement Marking	\$ 2,000,000	House	Young (R)
TN		Sec. 1907 Pavement Marking	\$ 2,000,000	House	Duncan (R)
IA		Sec. 1919 Road User Fee Study	\$ 12,500,000	Senate	Grassley (R)
WI		Sec. 1943 Great Lakes ITS	\$ 9,000,000	House	Petri (R)
OK		Sec. 1944 Tar Creek, OK Project	\$ 10,000,000	Senate	Inhofe (R)
AK		Sec. 1945 Alaska TV documentary	\$ 2,950,000	House	Young (R)
AK		Sec. 1960 Denali Commission	\$ 60,000,000	House	Young (R)
MD		Sec. 1961 I-95/Contee Road	\$ 1,000,000	House	Hoyer (D)
CA		Sec. 1962 Petaluma, CA project	\$ 20,000,000	House	Young (R-AK)
Total, Other Title I Projects			\$ 119,450,000		

House Total Above-the-Line Contract Authority	\$3.69 billion	53.5%
Senate Total Above-the-Line Contract Authority	\$3.21 billion	46.5%
Total Above-the-Line Earmarked Contract Auth.	\$6.90 billion	

Two apparent Senate above-the-line earmarks were supposed to be contract authority but, due to drafting errors which have yet to be corrected, are not (in order to be contract authority, an authorization not only has to be drawn on the Highway Trust Fund but must also contain a reference to being made available as if under chapter 1 of title 23 U.S.C., which both these provisions lack). Sec. 1307 was a \$90 million magnetic levitation program split evenly between two earmarks, and sec. 1940 was a \$50 million Montana earmark. If those two earmarks are included in the Senate above-the-line total, as was originally intended, the money adds up like so:

House Total Above-the-Line (Title I ONLY)	\$3.69 billion	52.5%
Senate Total Above-the-Line (Title I ONLY)	\$3.35 billion	47.5%
Total Above-the-Line Earmarks (Title I ONLY)	\$7.04 billion	

The House and Senate were supposed to split above-the-line money on a 50-50 basis, but some members (primarily Senators, it seems) put some of their above-the-line money into research earmarks in title V of the bill which is outside the scope of this study.

AVERAGE AND MEDIAN AMOUNTS OF ABOVE-THE-LINE PROJECTS, BY CATEGORY

Note: the **average** of a group of numbers is simply the arithmetical mean of the group, while the **median** is the middle number (or average of the two middle numbers) in a set. Consider a hypothetical group of five projects: \$100 million, \$100 million, \$90 million, \$10 million, and \$10 million. The average would be \$62 million $(100+100+90+10+10 \div 5)$ but the median would be \$90 million (the number in the middle of the list, 3rd out of 5 when ranked in order). An extremely high or extremely low number not representative of the set, called an outlier, has a much greater effect on the average than on the median, and we think median is more representative of typical project size in a long list.

PNRS	House GOP average	\$79.2 million	House GOP median	\$72.5 million
	House Dem average	\$88.8 million	House Dem median	\$100 million
	Senate GOP average	\$20.8 million	Senate GOP median	\$15 million
	Senate Dems had only one PNRS project—\$120 million for the Alaska Way Viaduct in Washington State.			

Corridor	House GOP average	\$71.9 million	House GOP median	\$50 million
	House Dem average	\$42.3 million	House Dem median	\$42.5 million
	Senate GOP average	\$50.5 million	Senate GOP median	\$31.25 million
	Senate Dems do not appear to have had any corridor projects.			

Trans.

Improve.	Total TransImp average	\$5.6 million	Total TransImp median	\$2.5 million
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STATE-BY-STATE DISTRIBUTION OF HOUSE ABOVE-THE-LINE EARMARKS

As noted earlier, the House divided its above-the-line money in title I on a rough 55%-45% basis, with Republicans getting the larger share. Both parties gave more of their above-the-line money to California than to any other state — the GOP gave \$787 million (about 38 percent of their total) while Democrats gave \$425 million (26 percent of their total). Within the Golden State, however, the priorities of the parties were sharply different. Rep. Jim Oberstar (D-MN) emphasized large projects with broad support and significant regional impact, like \$100 million each for I-405 HOV lanes and the Desmond Bridge on I-710, or the \$125 million for the Alameda Corridor East project, which has a large impact on national freight movement (the total project ask was \$900 million, and significant House GOP heavyweights asked for funding for the project but were denied). Oberstar also gave money to his party leader who in turn gave \$3 million to a freshman who had missed the project application process. The GOP, by contrast, gave \$630 million in above-the-line California money to Ways and Means chairman Bill Thomas (R-CA)'s Bakersfield district. (*Ed. Note:* while we are sure that California has \$1.2 billion in special funding needs, we are not sure that over half of them are in Bakersfield — Kern County only has two percent of California's population). Young also gave money to influential GOP members: \$50 million to John Doolittle, \$55 million to Jerry Lewis, and \$32 million to Richard Pombo, and a \$20 million GOP mystery project in Petaluma.

TOP FIVE HOUSE

California	34%
Illinois	17%
Oregon	6%
Louisiana	5%
Alaska	5%

The second state, Illinois, got \$622 million, most of that for Speaker Hastert out of the GOP allotment (he got \$347 million). The biggest Illinois Democratic priority was a \$150 million bridge across the Mississippi River for senior T&I member Jerry Costello. The third-ranking state, Oregon, benefited from having Rep. Pete DeFazio (D) as ranking member on the Highway Subcommittee, and DeFazio took home an even \$200 million above the line. Louisiana benefited from having presumed incoming Ways and Means Chairman Jim McCrery (who got a \$150 million project) and Alaska, of course, had T&I Chairman Don Young.

	Bridge	PNRS	Corridor	Sec. 1804	Other Title I CA	TOTAL HOUSE
Alaska	\$ 75,000,000		\$ 30,000,000		\$ 64,950,000	\$ 169,950,000
Arizona			\$ 3,000,000			\$ 3,000,000
Arkansas			\$ 143,333,333		\$ 6,500,000	\$ 149,833,333
California	\$ 50,000,000	\$ 450,000,000	\$ 660,000,000		\$ 52,000,000	\$ 1,212,000,000
Colorado		\$ 50,000,000				\$ 50,000,000
Connecticut			\$ 35,000,000			\$ 35,000,000
Dist. of Col.			\$ 75,000,000			\$ 75,000,000
Florida					\$ 10,000,000	
Illinois	\$ 17,500,000	\$ 390,000,000	\$ 214,500,000			\$ 622,000,000
Indiana			\$ 18,333,333			\$ 18,333,333
Iowa	\$ 17,500,000		\$ 7,500,000			\$ 25,000,000
Kentucky			\$ 8,333,333			\$ 8,333,333
Louisiana			\$ 175,000,000			\$ 175,000,000
Maryland			\$ 10,000,000		\$ 1,000,000	\$ 11,000,000
Michigan		\$ 20,000,000				\$ 20,000,000
Minnesota		\$ 50,000,000	\$ 50,000,000	\$ 25,000,000	\$ 6,000,000	\$ 131,000,000
Mississippi			\$ 8,333,333			\$ 8,333,333
New Jersey		\$ 100,000,000				\$ 100,000,000
New York		\$ 100,000,000			\$ 5,000,000	\$ 105,000,000
Ohio		\$ 30,000,000			\$ 6,000,000	\$ 36,000,000
Oregon	\$ 40,000,000	\$ 160,000,000				\$ 200,000,000
South Carolina			\$ 10,000,000			\$ 10,000,000
Tennessee			\$ 8,333,333		\$ 2,000,000	\$ 10,333,333
Texas			\$ 8,333,333			\$ 8,333,333
Virginia		\$ 30,000,000	\$ 100,000,000			\$ 130,000,000
Washington		\$ 100,000,000				\$ 100,000,000
West Virginia		\$ 30,000,000	\$ 50,000,000			\$ 80,000,000
Wisconsin		\$ 30,000,000	\$ 30,000,000	\$ 25,000,000	\$ 9,000,000	\$ 94,000,000
						\$ -
Subtotal House	\$ 200,000,000	\$ 1,540,000,000	\$ 1,645,000,000	\$ 50,000,000	\$ 162,450,000	\$ 3,597,450,000
						Plus transportation improvement contract authority for U.S. territories credited to House
						\$ 96,111,000
Total House						\$ 3,693,561,000

States not receiving any above-the-line earmarked funding from any House title I allocation (24): Alabama, Delaware, Florida, Georgia, Hawaii, Idaho, Kansas, Maine, Massachusetts, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Wyoming.

STATE-BY-STATE DISTRIBUTION OF SENATE ABOVE-THE-LINE EARMARKS

The Senate took a different approach to most of its above-the-line money. Instead of creating new programs like PNRs and corridors in an attempt to justify extremely large earmarks, they put \$2.4 billion of their \$3.2 billion into a category simply called "transportation improvements" and appear to have distributed that money in a reasonably egalitarian manner based on traditional Senate project factors like seniority on the Environment and Public Works Committee (\$340 million for Chairman Inhofe, \$300 million for the home state of subcommittee chair Kit Bond, \$172 million for ranking member Jeffords, etc.) as well as electoral need and chamber seniority considerations. In all, 44 states got above-the-line funding from the Senate allocation (compared with 26 states under the House allocation) and a median project size of \$2.9 million (compared with a median House project size of \$11 million).

TOP FIVE SENATE

Oklahoma	11%
Missouri	9%
Vermont	5%
Montana	5%
Nevada	5%

	TransImp	Bridge	PNRS	Corridor	Sec. 1804	Other title I CA	TOTAL SENATE
Alabama	\$ 60,000,000						\$ 60,000,000
Alaska	\$ 75,000,000						\$ 75,000,000
California	\$ 65,000,000				\$ 25,000,000		\$ 90,000,000
Colorado	\$ 37,000,000			\$ 3,000,000			\$ 40,000,000
Connecticut	\$ 55,000,000						\$ 55,000,000
Delaware	\$ 35,000,000						\$ 35,000,000
Florida	\$ 31,000,000						\$ 31,000,000
Georgia	\$ 55,000,000						\$ 55,000,000
Hawaii	\$ 20,000,000						\$ 20,000,000
Idaho	\$ 10,000,000						\$ 10,000,000
Illinois	\$ 50,000,000						\$ 50,000,000
Indiana	\$ 10,000,000						\$ 10,000,000
Iowa	\$ 120,000,000					\$ 12,500,000	\$ 132,500,000
Kansas	\$ 20,000,000						\$ 20,000,000
Kentucky	\$ 70,000,000						\$ 70,000,000
Louisiana	\$ 10,000,000			\$ 55,000,000			\$ 65,000,000
Maine	\$ 20,000,000						\$ 20,000,000
Maryland	\$ 17,000,000						\$ 17,000,000
Massachusetts	\$ 40,000,000						\$ 40,000,000
Michigan	\$ 100,000,000						\$ 100,000,000
Minnesota	\$ 10,000,000						\$ 10,000,000
Mississippi	\$ 95,000,000						\$ 95,000,000
Missouri	\$ 225,000,000	\$ 50,000,000			\$ 25,000,000		\$ 300,000,000
Montana	\$ 153,625,000						\$ 153,625,000
Nebraska	\$ 20,000,000						\$ 20,000,000
Nevada	\$ 100,000,000	\$ 50,000,000					\$ 150,000,000
New Jersey	\$ 35,000,000						\$ 35,000,000
New Mexico	\$ 10,000,000		\$ 14,000,000				\$ 24,000,000
New York	\$ 55,000,000						\$ 55,000,000
North Carolina	\$ 20,000,000						\$ 20,000,000
North Dakota	\$ 40,000,000						\$ 40,000,000
Ohio	\$ 95,000,000						\$ 95,000,000
Oklahoma	\$ 135,000,000	\$ 50,000,000		\$ 145,000,000		\$ 10,000,000	\$ 340,000,000
Oregon	\$ 20,000,000						\$ 20,000,000
Pennsylvania	\$ 20,000,000		\$ 50,000,000				\$ 70,000,000
Rhode Island	\$ 75,000,000						\$ 75,000,000
South Carolina			\$ 40,000,000				\$ 40,000,000
South Dakota	\$ 75,000,000						\$ 75,000,000
Tennessee	\$ 15,000,000			\$ 100,000,000			\$ 115,000,000
Utah	\$ 50,000,000						\$ 50,000,000
Vermont	\$ 122,000,000	\$ 50,000,000					\$ 172,000,000
Virginia	\$ 88,000,000		\$ 15,000,000				\$ 103,000,000
Washington			\$ 120,000,000				\$ 120,000,000
West Virginia	\$ 35,000,000						\$ 35,000,000
	\$ 2,393,625,000	\$ 200,000,000	\$ 239,000,000	\$ 303,000,000	\$ 50,000,000	\$ 22,500,000	\$ 3,208,125,000

States not receiving any above-the-line earmarked funding from any Senate title I allocation (6): Arizona, Arkansas, New Hampshire, Texas, Wisconsin, Wyoming.

Leadership Races...

CONTINUED FROM PAGE ONE

tion, usually in the case of retaining an incumbent or if a clear line of succession is established for a vacancy.

Blunt's 2002 ascension to the Majority Whip position without a contest was interesting because he used his position as Chief Deputy Whip as a springboard, when that position had not previously been used as a path to power. DeLay had selected Blunt to be his chief deputy in 1999 (after previous job holder Denny Hastert (R-IL) had leapfrogged to the Speakership) and because DeLay was making the natural climb to the next rung of the ladder following the retirement of Majority Leader Dick Armey (R-TX). The table below shows the top four GOP leadership slots since the 97th Congress (they are labeled 1-4 instead of named since the names and positions switched in 1995 with the GOP takeover).

One	Two	Three	Four
97 Michel	Lott	Kemp	Cheney
98 Michel	Lott	Kemp	Cheney
99 Michel	Lott	Kemp	Cheney
100 Michel	Lott	Kemp/Cheney	Cheney/Lewis
101 Michel	Cheney	Lewis	Edwards
102 Michel	Gingrich	Lewis	Edwards
103 Michel	Gingrich	Armey	Hyde
104 Gingrich	Armey	DeLay	Cox
105 Gingrich	Armey	DeLay	Cox
106 Hastert	Armey	DeLay	Cox
107 Hastert	Armey	DeLay	Cox
108 Hastert	DeLay	Blunt	Cox
109 Hastert	DeLay	Blunt	Shadegg

Democrats have been bound to the climb-the-ladder leadership ascension method even more than Republicans over the last 30 years (the two-term limit for Caucus chair and vice-chair throws things off):

One	Two	Three	Four
97 O'Neill	Wright	Foley	Long
98 O'Neill	Wright	Foley	Long
99 O'Neill	Wright	Foley	Gephardt
100 Wright	Foley	Coehlo	Gephardt
101 Wright/Foley	Foley/Gephardt	Coehlo/Gray	Gray/Hoyer
102 Foley	Gephardt	Gray/Bonior	Hoyer
103 Foley	Gephardt	Bonior	Hoyer
104 Gephardt	Bonior	Fazio	Kennelly
105 Gephardt	Bonior	Fazio	Kennelly
106 Gephardt	Bonior	Frost	Menendez
107 Gephardt	Bonior/Pelosi	Frost	Menendez
108 Pelosi	Hoyer	Menendez	Clyburn
109 Pelosi	Hoyer	Menendez	Clyburn

The trend towards upward ascension gets interrupted in times of

CONTINUED ON NEXT PAGE

THE 1976 HOUSE MAJORITY LEADER RACE: The Power of Second- and Third-Ballot Commitments

Probably the most convoluted, and most consequential, contested House leadership race in recent memory was the 1976 contest in the Democratic Caucus for Majority Leader. Speaker Carl Albert (D-OK) had retired and Tip O'Neill (D-MA) was set to move up from Majority Leader and take the job. Four heavyweights vied to replace O'Neill:

- Majority Whip John J. McFall (D-CA). An old-school pro-labor but socially conservative Democrat who had been selected (Democrats did not elect their whips until 1986) by Speaker Albert (after the 1972 death of Hale Boggs) over the objections of liberals. McFall was also tarred by the unfolding Koreagate investigation.
- Democratic Caucus Chairman Phil Burton (D-CA). Burton was the chief spokesman of the growing liberal wing of the Democratic caucus (he represented the district currently held by Nancy Pelosi) and had done much to harness the power of the burgeoning Watergate freshman class of 1974.
- Dick Bolling (D-MO), a senior Rules Committee member who ran against Albert for Majority Leader on Speaker Rayburn's death in 1961 but then withdrew. Bolling was regarded as one of the smartest members of the House and who had been the author of the committee reforms and the Budget Act in 1974, earning him credentials as a reformer.
- Jim Wright (D-TX), the senior Democrat on the Public Works Committee.

The blow-by-blow of the race was exceedingly well-chronicled in the first chapter of John M. Barry's magisterial book on Wright's Speakership, *The Ambition and the Power* (New York: Viking, 1989). Though McFall was technically first in line, he was widely regarded as an also-ran from the beginning, with Burton having the support of more Californians and with scandal-tarred McFall viewed as too conservative for the ascendant liberals. The press played it as a two-man race between Burton, the favorite who was riding the wave of the Watergate class, and Bolling, the old lion taking his last shot. However, both men were arrogant of demeanor and were slow to listen to the needs of others. Burton in particular assumed the race was his to lose and therefore did not collect second- and third-ballot promises from members who were pledged to one of his rivals on the first ballot.

Wright had the power of the Texas Democratic delegation behind him (and this used to be a big deal — in 1976, there were 21 House Democrats from the Lone Star State, second behind California's 28, and they included the chairmen of the Appropriations and Banking Committees) plus Steering Committee power broker Dan Rostenkowski (D-IL). And as the most liberal member of the delegation of a very conservative state, Wright was positioned to relate all ideological stripes of the Caucus better than any of his rivals. When the Caucus voted, the ballots went like so:

Democrats - November 1976 - 148 votes needed				
	First Ballot	Second Ballot	Third Ballot	
Burton	106	Burton	107	Wright 148
Bolling	81	Wright	95	Burton 147
Wright	77	Bolling	93	
McFall	31			

After McFall was eliminated on the first ballot, Burton only got one of McFall's supporters while Wright got eighteen and Bolling got twelve. Getting so many of McFall's supporters allowed Wright to edge out Bolling by two votes on the second ballot and go to the final round, where he capitalized on the anyone-but-Burton votes and picked up 53 of Bolling's 93 supporters to win by a one-vote margin on the final ballot.

Leadership Races...

CONTINUED FROM PAGE 11

internal struggle — the Democrats reordered themselves in the mid-1970s after the Watergate election brought a surge of younger liberals into the House. Republicans gradually purged moderates from their leadership in the early 1990s and then knocked off Speaker Gingrich and Conference Chairman Boehner in the “is our revolution still pure” soul-searching following the 1998 elections. (*Ed. Note:* one of the key players in backing J. C. Watts’ (R-OK) successful challenge to Boehner in 1998 was Transportation and Infrastructure Chairman Bud Shuster (R-PA), who didn’t like Boehner’s opposition to TEA21.)

The key thing to remember about leadership races is this: unlike all other Congressional voting, these ballots are secret. This means that all vote counts must be considered suspect, since Members hate to say “no” to their colleagues’ faces. The motivation to lie is even stronger when the candidate already has a major job and voters know they may have to answer to them again even if they lose. (*Ed. Note:* this is why Boehner is pushing for Blunt to forswear his job as Whip — in the hopes that members will be more willing to vote against him if a “no” vote actually puts him out of power). Because of the lying factor, one needs to corral more commitments than one needs.

With 232 Republicans currently in the House (counting the Resident Commissioner from Puerto Rico), 117 votes are needed to win a leadership race. Blunt claims to have 117 commitments, although he is only making 85 of them public (a bad sign). Boehner has 41 public commitments, while Shadegg just got started and is waiting for en masse commitments from the Republican Study Committee (which he used to head) and other conservative groupings.

There is a widely held sense that people are waiting for another shoe to drop in the current lobbying

scandal involving either Blunt or Boehner, in which case all their commitments should be considered suspect. As far as Congressional operations goes, it is worth noting that only eight House members voted against the final SAFETEA-LU bill, and two of them were Boehner and Shadegg. Boehner

also wrote an interesting op-ed in today’s *Wall Street Journal* calling for “a ban on earmarks that serve lobbying interests at the expense of the public interest” and that “Leaders in Congress should help members find other proactive ways to represent their districts beyond securing earmarks.”

THE 1998 HOUSE MAJORITY LEADER RACE:

When A Divided Majority Wants You Fired...

After the GOP’s high expectations for the 1998 elections turned into disappointment, Speaker Gingrich was forced out and the Republican Conference chose Bob Livingston (D-LA) to replace him. The unrest that cost Gingrich his job also manifested itself in an effort to dump Majority Leader Dick Arme y (R-TX). The more conservative Steve Largent (R-OK) and the more moderate Jennifer Dunn (R-WA) mounted campaigns, and some people who were dissatisfied with their choices mounted a write-in campaign for Denny Hastert (R-IL) in which Hastert himself did not fully participate. When the votes were counted:

GOP - November 1998 - 111 votes needed

	First Ballot	Second Ballot	Third Ballot
Arme y	100	99	127
Largent	58	73	95
Dunn	45	49	
Hastert	18		

A bare majority of the GOP Conference wanted to sack Arme y, but they could not agree on who should take his place. If a single well-regarded candidate able to bridge both wings of the Conference had emerged earlier to challenge Arme y and had been able to keep other challengers out of the race, Arme y would have probably been removed as floor leader in November 1998. As it was, Arme y served for another four years before retiring.

THE 1980 REPUBLICAN WHIP RACE:

What Might Have Been...

TW is fond of reminding readers on how the course of transportation history would have been different had the 1980 race for House Republican Whip gone a few votes differently. Minority Leader John Rhodes (R-AZ) stepped aside as floor leader and then-Whip Bob Michel (R-IL) was elected to take his place, defeating NRCC chair Guy Vander Jagt (R-MI) 103-87. There were two contenders to take Michel’s place as Whip: Rules Committee member and rising star Trent Lott (R-MS) and Republican Policy Committee chairman Bud Shuster (R-PA). While a conservative, Shuster had not been an early Reagan supporter (Shuster supported Ford in 1976 and John Connally in 1980), which may have cost him support in the new Reagan Revolution GOP Conference. Lott won 96-90 and remained Whip until moving to the Senate in 1988, when he was replaced by Dick Cheney, who quickly left to be Defense Secretary and was in turn replaced by Newt Gingrich. Had Shuster become Whip, that line of succession might have turned out differently. Instead, as the *Almanac of American Politics* said, after his leadership ambitions were ended, “He abruptly shifted course and spent most of his time on Public Works, as the committee was then called, working to craft bipartisan highway and water project bills with national scope...”

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THIS WEEK IN COMMITTEE

There are no transportation-related committee meetings scheduled for this week.

UPCOMING HEARINGS

Tuesday, January 24, 2006 — House Transportation and Infrastructure — Subcommittee on Coast Guard and Maritime Transportation — subcommittee field hearing on a national strategy for maritime security — *10:00 a.m., Rutgers State University Campus Center, Camden, New Jersey.*

Wednesday, February 1, 2006 — House Transportation and Infrastructure — full committee hearing entitled “Disasters and the Department of Homeland Security: Where Do We Go From Here?” — *1:00 p.m., 2167 Rayburn.*

Thursday, Feb. 9, 2006 — Senate Commerce, Science, and Transportation — full committee hearing to examine commercial aviation security, focusing on the Transportation Security Administration's aviation passenger screening programs, Secure Flight and Registered Traveler, to discuss issues that have prevented these programs from being launched, and to determine their future — *10 a.m., SD-562 Dirksen.*

NOTE: the Commerce Committee's second aviation security hearing scheduled for February 9 has been postponed until a later date (to be determined).

STATUS OF MAJOR TRANSPORTATION BILLS — 109th CONGRESS

BILL	HOUSE ACTION	SENATE ACTION	OUTCOME
FY 2006 Congressional budget resolution	H. Con. Res. 95 passed House 3/17/05 by a vote of 218-214	S. Con. Res. 18 passed Senate 3/17/05 by a vote of 51-49	Conference report H. Rept. 109-62 cleared both chambers 4/28/05
Budget Reconciliation/ Deficit Reduction	H.R. 4241 passed House 11/18/05 by a vote of 217-215	S. 1932 passed Senate 11/3/05 by a vote of 52-47	Senate passed modified final S. 1932 12/21/05 by vote of 51-50
FY 2006 Transportation-Treas.-HUD Appropriations	H.R. 3058 passed House 6/30/05 by a vote of 405-18	H.R. 3058 passed Senate amended 10/20/05 by vote of 93-1	Public Law 109-115 11/30/05
FY 2006 Energy and Water Appropriations	H.R. 2419 passed House 5/24/05 by a vote of 416-13	H.R. 2419 passed Senate amended 7/1/05 by vote of 92.3	Public Law 109-103 11/19/05
FY 2006 Homeland Security Appropriations	H.R. 2360 passed House 5/17/05 by a vote of 424-1	H.R. 2360 passed Senate amended 7/14/05 by vote of 96-1	Public Law 109-90 10/18/05
Surface transportation re-authorization (highway bill)	H.R. 3 passed House 3/10/05 by a vote of 417-9	H.R. 3 passed Senate amended 5/17/05 by a vote of 89-11	Public Law 109-59 8/10/05
Water Resources Development Act	H.R. 2864 passed House 7/14/05 by a vote of 406-14	S. 728 reported 4/26/05 S. Rept. 109-61	
FY 2006 Homeland Security Authorization	H.R. 1817 (non-TSA) passed House 5/18/05 by a vote of 424-4	S. 1052 (TSA only) ordered reported 11/17/05 by SCS&T Cmte	
FY 2006 Coast Guard Authorization	H.R. 889 passed House 9/15/05 by a vote of 415-0	H.R. 889 passed Senate amended 10/27/05 by unanimous consent	House-Senate conference held on H.R. 889 on 11/16/05
Amtrak restructuring/reform/reauthorization	H.R. 1630 reported 11/8/05 H. Rept. 109-280	S. 1516 reported 10/18/05 S. Rept. 109-143	