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EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503  
December 16, 1991



MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2950 - Intermodal Surface  
Transportation Efficiency Act of 1991  
Sponsors - Rep. Mineta (D) California and 10 others

Last Day for Action

December 21, 1991 - Saturday. The Department of Transportation (DOT) recommends that the President approve H.R. 2950 "at his earliest convenience" to "avoid any further delay in making needed funds available to States and localities . . . ."

Purpose

(1) Authorizes expenditures for Federal highway, highway safety, and transit activities through FY 1997; (2) extends highway-related taxes through FY 1999; (3) revises statutes relating to highway and motor carrier safety; and (4) alters the composition and powers of the Board of Review of the Metropolitan Washington Airports Authority.

Agency Recommendations

Office of Management and Budget	Approval (Signing statement attached)
Department of Transportation	Approval (Signing statement attached)
Council of Economic Advisers	Approval
National Transportation Safety Board	Approval
Department of Commerce	Approval (Informally)
Department of Labor	Approval (Informally)
Appalachian Regional Commission	Approval (Informally)
Architectural and Transportation Barriers Compliance Board	Approval (Informally)
Federal Emergency Management Agency	No objection
Department of Agriculture	No objection (Informally)

*With Statement*



Department of the Interior	No objection (Informally)
Department of State	No objection (Informally)
Small Business Administration	No objection (Informally)
Department of Education	Defers (Informally)
Department of Justice	Defers (Informally)
Environmental Protection Agency	Defers (Informally)
Department of Defense	No comment (Informally)
Department of Energy	No comment (Informally)
Department of Housing and Urban Development	No comment (Informally)
Department of the Treasury	No comment (Informally)
Equal Employment Opportunity Commission	No comment (Informally)
General Services Administration	No comment (Informally)
Office of the United States Trade Representative	No response

### Discussion

The conference report on H.R. 2950 passed the House by a vote of 372-47 and the Senate by a vote of 79-8. According to DOT, the enrolled bill is "the most significant piece of surface transportation legislation since the creation of the Interstate Highway System in 1956." Its principal provisions are summarized below.

### Authorization Totals and Gas Tax Extension

Authorizations. H.R. 2950 would authorize \$149 billion for Federal highway and transit programs over the six-year period ending in FY 1997. (The Administration had proposed authorizations of \$118 billion for these programs for the five-year period ending in FY 1996.) The \$149 billion includes \$135 billion in contract authority, which may be obligated without further congressional action, subject to limitations in annual appropriations acts. The remainder is subject to appropriations action. If highway and transit programs are funded at the authorized levels, significant reductions in other programs will be necessary to avoid breaching the outlay limits in last year's budget agreement.

Approval of H.R. 2950 will allow \$10 billion of enacted FY 1992 appropriations to be obligated.



**Gas Tax Extension.** H.R. 2950 would extend for four years, through FY 1999, the current highway-related excise taxes on gasoline, diesel, and other fuels. Included in this extension is a 2.5 cents per gallon tax dedicated to the Highway Trust Fund. H.R. 2950 does not extend the other half of last year's 5 cents per gallon tax increase, which is dedicated to deficit reduction. The total tax would, therefore, decrease from 14 to 11.5 cents per gallon on September 30, 1995, and to 9 cents on September 30, 1999.

### Highway Programs

**New Programs.** H.R. 2950 would authorize \$119 billion for highway programs through FY 1997. Several existing programs would be eliminated, including those for "Primary," "Secondary," and "Urban" highways. These programs would generally be consolidated into three large new programs:

- A National Highway System (NHS), for which \$21 billion would be authorized through FY 1997. The NHS would consist of approximately 155,000 miles of primary highways. States would have considerable latitude to use NHS funds on transit and other alternative transportation projects that would benefit a segment of the NHS system.
- An Interstate Maintenance Program, for which \$17 billion would be authorized through FY 1997.
- A Surface Transportation Program (STP), for which \$24 billion would be authorized through FY 1997. States could spend STP grants on any surface transportation project, including highways, non-local roads, transit, rail, bicycle, or pedestrian projects. States could also use STP funds to mitigate wetland loss related to past or future highway construction.

H.R. 2950 would authorize \$6 billion through FY 1997 for a "Congestion Mitigation and Air Quality Improvement Program." The program would provide grants to support projects that DOT, in consultation with the Environmental Protection Agency, determines will improve air quality. An additional \$588 million would be authorized to assist States and localities in developing Intelligent Vehicle Highway Systems. These systems use new technologies to improve traffic control systems, warn drivers of dangerous situations, and make more efficient use of existing road systems.



Existing Programs. The enrolled bill would reauthorize numerous existing highway programs for the six-year period. The largest authorizations are for the Bridge Rehabilitation and Reconstruction Program (\$16 billion) and for completion of the Interstate Highway System (\$7 billion).

Specified Projects. H.R. 2950 would authorize approximately \$6.2 billion through FY 1997 for more than 500 specified highway projects. DOT notes that the Administration has consistently opposed such special designations, but that "over 50 percent of these projects are either on the proposed National Highway System or on State priority lists and would be funded in any case."

State Allocation Formulas. H.R. 2950 establishes new formulas for allocating funding from the Highway Trust Fund. States would be guaranteed funding equal to at least 90 percent of the revenues they generate for the Trust Fund. (The current guarantee is 85 percent.) Payments above that minimum level would be made according to a series of complex formulas. According to the statement of the conferees on H.R. 2950, the formulas will "provide each State with an amount of funding over six years that is consistent with their historical funding experience." DOT notes that the Administration proposed a "simpler, needs based approach" to State allocations.

Federal Matching Shares. H.R. 2950 would increase the Federal share of most highway projects from 75 to 80 percent. (The Administration proposed reducing the Federal share of most non-Interstate projects to 70 percent.) The Federal share for Interstate projects would continue to be 90 percent. The overall weighted average would remain at approximately 81 percent, principally because spending for Interstates is a smaller share of the total. DOT notes that the Administration "strongly advocated a higher relative investment by States and localities as a condition of Federal aid" with respect to both highways and transit. However, "the realities of the current economic climate and tight budgets in many States afforded virtually no support for that effort."

New Authorities. H.R. 2950 would, for the first time other than on an experimental basis, allow States to use Federal highway funds to help finance public or private toll highways, bridges, and tunnels. It would also permit the use of Federal funds for the removal of certain billboards and for "just compensation" payments to billboard owners. The enrolled bill also allows the use of "congestion pricing" in five metropolitan areas. (This means that higher toll rates could be charged during time periods when traffic is heaviest.)



## Transit Programs

H.R. 2950 would authorize \$30 billion during FYs 1992-1997 for Federal transit assistance. Of this total, 58 percent would be derived from the Highway Trust Fund and 42 percent from the General Fund of the Treasury. The Administration's five-year request for transit was \$16 billion, all from the Trust Fund.

For capital projects such as rail modernization, new rail systems, extensions of existing rail systems, buses, and bus systems, \$22 billion would be authorized. The enrolled bill would authorize funding for studies, planning, or construction activities related to 67 named projects. DOT advises that these earmarkings "are likely to result in the funding of some systems that may not be cost-effective."

For operating subsidies, \$6 billion would be authorized. Subsidies would be set by a formula permitting an annual increase for all urbanized areas equal to the lower of the percentage increase in inflation or in certain transit formula grants. The Administration sought to reduce funding for operating assistance.

An additional \$3 billion would be authorized for other transit projects (e.g., research and development activities and transportation services for the elderly and disabled). DOT's Urban Mass Transportation Administration (UMTA) would be renamed the Federal Transit Administration (FTA).

H.R. 2950 would increase the Federal share of most transit projects from 75 percent to 80 percent. The Federal share for projects required by the Clean Air Act and the Americans with Disabilities Act would increase from 75 or 80 percent to 90 percent. The Administration had proposed to reduce the Federal share of most transit projects to 60 percent (50 percent for new systems).

## Highway Safety

H.R. 2950 would require DOT to issue a regulation requiring driver- and passenger-side airbags in all new passenger cars by model year 1998 and in certain other vehicles by model year 1999. DOT would also have to establish brake performance standards for passenger cars and commercial vehicles.



The enrolled bill would require DOT to initiate rulemakings on: (1) the extent to which a rollover risk exists with respect to certain vehicles; (2) the extension of passenger car side impact protection requirements; (3) the safety of child booster seats; (4) design standards for safety belts; and (5) standards for head impact protection.

DOT states that:

"Although we generally oppose legislative directions to conduct rulemaking, the conference bill contains substantially fewer directed rulemakings and studies than were originally contained in the Senate proposal and extends the rulemaking deadlines to accommodate the complexities of the rulemaking process in these technical areas."

Other safety-related provisions include authorizations for grants to encourage States to implement drunk-driving prevention programs and enact mandatory seatbelt and motorcycle helmet laws.

#### Motor Carrier Deregulation

Consistent with the Administration's proposal, H.R. 2950 would mandate uniformity in State registration and fuel tax reporting requirements for motor carriers. It would also require uniformity in State registration of Interstate Commerce Commission operating authority. The operation of certain double- and triple-trailer trucks would be limited to the 28 States where it is currently legal.

#### Magnetic Levitation Trains

H.R. 2950 would authorize \$725 million (\$225 million from the General Fund and \$500 million from the Highway Trust Fund) for construction of a magnetic levitation train prototype.

#### New Presidential Appointments

H.R. 2950 would establish within DOT a new Bureau of Transportation Statistics. Its Director would be appointed by the President to a four-year term with the advice and consent of the Senate. The enrolled bill would also establish three new commissions, each of which would have both Presidential and congressional appointees: (1) an "Infrastructure Investment Commission" to study the feasibility of increased pension fund investments in infrastructure projects; (2) a "National Commission on Intermodal Transportation" to recommend means of achieving an integrated transportation system; and (3) a "National Council on Surface Transportation Research."



## Metropolitan Washington Airports Authority

A 1986 Act creating the Washington Metropolitan Airports Authority (MWAA), which oversees the National and Dulles Airports, established a Congressional Board of Review with veto power over major actions by MWAA. The Supreme Court subsequently found the Board to be unconstitutional. This effectively dissolved the MWAA's authority, since many of its actions cannot, by law, take effect without review by the Board.

H.R. 2950 would attempt to cure this problem by changing the composition and powers of the Board. However, the Administration has stated that this cure is unconstitutional. It is unconstitutional because the new Board would be appointed from lists provided by Congress, and it would continue to exercise significant Federal authority. DOT advises that since the courts are likely to overturn this provision, its inclusion in H.R. 2950 should not bear on the decision to sign the legislation.

### Scoring for Purposes of Pay-As-You-Go

H.R. 2950 contains provisions that would affect direct spending; therefore, it is subject to the "pay-as-you-go" requirement of the Omnibus Budget Reconciliation Act of 1990. This Office must issue an estimate of the changes in direct spending resulting from this legislation within five days of enactment.

H.R. 2950 requires an across-the-board reduction in the FY 1992 obligations that it authorizes to ensure that they do not increase the deficit in any fiscal year between 1992 and 1995. Without this requirement, H.R. 2950 would increase FY 1992-1995 outlays by \$624 million for pay-as-you-go purposes, principally due to a provision authorizing a new courthouse to be built in Brooklyn, New York.

The requirement for an across-the-board reduction, when combined with other provisions in H.R. 2950, will: (1) require a reduction of \$1.2 billion in obligations in FY 1992; and (2) result in a net outlay reduction of \$444 million during FYs 1992-1995.

### Conclusion and Recommendations

DOT notes that H.R. 2950 includes much of the Administration's proposal, and concludes that it "represents a good compromise among the Administration, House, and Senate proposals." We join DOT and other interested agencies in recommending approval of H.R. 2950.



Eno

Center for  
Transportation

DOT has prepared for your consideration a signing statement, which is attached to its views letter. The draft statement calls H.R. 2950 "a landmark piece of legislation that will carry the Nation into the post-Interstate era and help provide the transportation infrastructure for improved economic productivity and enhanced international competitiveness." The statement also cites constitutional concerns with the provisions affecting the MWA.

Attached for your consideration is an edited version of the draft signing statement. It has been reviewed and approved by the Departments of Transportation, Justice, the Interior, Commerce, and Agriculture, the Council of Economic Advisers, and the White House Offices of Counsel, Policy Development, and Legislative Affairs.



Richard Darman  
Director

Enclosures





U.S. Department of  
Transportation

ETIO

Center for  
Transportation

General Counsel

400 Seventh St. S.W.  
Washington, D.C. 20590

December 6, 1991

The Honorable Richard G. Darman  
Director  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Darman:

This is in response to your request for the views of the Department of Transportation concerning H.R. 2950, an enrolled bill

"To develop a national intermodal surface transportation system, to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes."

The "Intermodal Surface Transportation Efficiency Act of 1991" (the Act) represents a constructive compromise that will set the course for the nation's surface transportation system into the next century. It is the most significant piece of surface transportation legislation since the creation of the Interstate Highway System in 1956. Moreover, the Act fulfills an important part of the President's domestic agenda and implements major components of the President's National Transportation Policy. Finally, and significantly, the Act provides a much-needed stimulus to the economy through the generation of 660,000 jobs this fiscal year and continued support for jobs in highway and transit construction industries over the life of the legislation. For these reasons and to avoid any further delay in making needed funds available to States and localities, the President should take favorable action on the bill at his earliest convenience.

While the final bill does not contain all that the Administration wanted, it does include most of the key initiatives from the proposal the President unveiled ten months ago. It establishes a 155,000-mile National Highway System (NHS) with dedicated funding of \$38 billion (including \$17 billion for Interstate maintenance) and affords unprecedented flexibility to States and localities to find the most effective solutions to their transportation needs, including intermodal and multimodal options. It provides for increased investment in research and technology, which will aid States and localities in reducing congestion and improving safety. The Act requires much stronger State and local planning processes



that will incorporate environmental concerns at the earliest possible stage, and it requires the institution of bridge, pavement, congestion, safety and transit management systems to improve accountability and optimize investment.

We review the major provisions of this comprehensive legislation below and provide a draft signing statement as an enclosure.

Funding. The six-year final bill adopts the House spending limits of \$119.5 billion for highway, bridge and highway safety programs and \$31.5 billion for mass transit. While these overall spending levels exceed the levels proposed by the Administration, the spending authorized is within the congressional budget resolution, and therefore consistent with last year's budget agreement. A House proposal to raise the Federal excise tax on motor fuels by five cents per gallon was dropped following the President's veto threat and replaced by an extension of half of the nickel increase from last year's budget agreement (through fiscal year 1999). While the Administration opposed this extension, we consider its inclusion in the final bill an acceptable outcome. This means the Federal gas tax will drop to 11.5 cents from the current 14 cents per gallon at the end of fiscal year 1995.

The compromise reached on the allocation formulas is a blend of House and Senate proposals to address concerns of the so-called "donor" States that historically paid more into the Highway Trust Fund than they received. While the Administration's bill proposed a simpler, needs-based approach, the final bill includes a complicated allocation method based largely on an average of a State's adjusted share of funds over the last 5-year authorization cycle, some new factors and lump-sum payments to States. The House proposal for a 90-percent minimum allocation for the core programs was adopted.

Program Structure (Title I). The conference agreement generally adopted the Senate structure for the Federal-aid highway program, which, like the Administration's proposal, consolidates an array of existing categorical highway programs. The two largest new programs -- the National Highway System and the broad Surface Transportation Program (STP) -- both offer States broad flexibility in how they use grant funds. The \$23.9 billion in STP funds will be available for roads, mass transit, bridges, and bicycle and pedestrian projects. For example, as the Administration proposed, the bill provides that STP funds will be available to support transit capital projects in lieu of road projects if State and local officials decide that transit is the preferred investment to improve surface transportation efficiency in the local area.

Title I incorporates another important feature of the Administration's proposal, namely providing States and local governments with the broad discretion to use Federal funds (up to a 50% share) for the construction and reconstruction of toll roads. Such toll financing is desirable because in many cases it



permits highway construction to proceed much sooner than if State and local governments had to rely on limited user fee or general revenue sources.

A separate Bridge Program to provide \$16.1 billion for the rehabilitation and replacement of existing bridges will be retained under the Act. The Administration had proposed substantially increased funding for this program. The bill also provides \$2.6 billion for roads serving Federal lands and \$4 billion for a new program proposed by the Senate to reimburse States that built toll and other roads without Federal assistance before 1956 that now are part of the Interstate System.

Finally, the bill provides \$7.2 billion to complete the Interstate System, which is in accordance with the 1991 Interstate Cost Estimate submitted to Congress earlier this year.

Highway Safety (Title II). The highway safety title contains two parts. The first part, which achieves the basic objectives sought by the Administration, expands the list of uniform guidelines for the State and community highway safety grant program. At our urging, the House proposal for making these "guidelines" mandatory was rejected. The bill also clarifies the language of the highway safety research and development program, and revises the existing alcohol-impaired driving incentive grant program in a manner that will make these programs more effective. The authorization level for the National Highway Traffic Safety Administration's (NHTSA) State and community grant program, \$981 million over six years, is higher than that sought by the Administration. However, beginning in FY 1993, the bill requires amounts from this program's authorization to be made available for alcohol incentive grants, motorcycle helmet and safety belt use law grants, and the National Driver Register Act.

The second part provides authorizations for the National Traffic and Motor Vehicle Safety Act of 1966 and the Motor Vehicle Information and Cost Savings Act of \$318 million over four years, incorporating amounts the Administration sought for FY 1992 and projecting levels, based on the Administration's FY 1992 request, for FYs 1993-1995. This part also includes a number of motor vehicle safety rulemaking requirements and additional directions for such rulemaking. Although we generally oppose legislative directions to conduct rulemaking, the conference bill contains substantially fewer directed rulemakings and studies than were originally contained in the Senate proposal and extends the rulemaking deadlines to accommodate the complexities of the rulemaking process in these technical areas.

Mass Transit (Title III). The transit title of the bill includes authorization levels of \$31.5 billion over six years, significantly higher than the \$16 billion sought by the Administration over five years. A key principle sought in the Administration bill, however, involves the freedom at the State or local level to use highway funds for transit projects, or vice versa, and this concept is adopted in the bill.



In addition, the transit title essentially incorporates the Administration's proposal to enhance and strengthen the transit planning and research program.

Regarding the transit discretionary program, the bill follows the Administration proposal to provide funds for modernization of rail systems on the basis of a statutory formula, thereby ensuring greater stability to those cities in need of infrastructure rehabilitation. The bill includes a number of earmarks for new rail systems, in contrast to the Administration bill, which sought to build upon the existing statutory requirement that only cost-effective systems could be built with Federal funds. While that cost-effectiveness element and process remain in the bill, the earmarkings are likely to result in the funding of some systems that may not be cost-effective.

Regarding the transit formula program, under which funds are provided by a statutory formula to all urbanized areas in the country, the Administration sought to decrease the amount of funds that would be available for operating assistance and increase the Federal role in capital funding. The bill increases that role in capital funding significantly although it would allow operating assistance to grow at the rate of inflation. The bill also provides, as the Administration sought, a greater level of funding for the rural program.

Overall, the transit title of the bill reflects a number of key initiatives sought by the Administration, including a strengthened local planning process to address air quality and congestion management issues, an expanded collaborative research program, and greater authority at the local level regarding the use of transit or highway funds.

Motor Carrier Safety and Productivity (Title IV). The Act increases funding for the Motor Carrier Safety Assistance Program (MCSAP) to support State enforcement of truck and bus safety requirements. It also incorporates the Administration's proposal to increase uniformity of State "paperwork" requirements, i.e., registration and tax requirements, imposed on the interstate trucking industry. This will reduce the administrative costs for the industry when complying with State requirements by directing States to participate in the International Registration Plan and the International Fuel Tax Agreement, whereby a company may register its vehicles and pay fuel taxes through one State which acts on behalf of the others in reconciling fees and taxes.

In addition, Congress eliminated the "bingo stamp" program associated with thirty-nine States' requirements for motor carriers to register their Interstate Commerce Commission (ICC) operating authority. In its place will be a uniform base-state fee system to be developed by the ICC for interstate motor carriers to register their ICC authority and provide proof of required liability insurance. This new system is intended to generate enough revenue to replace the estimated \$50 million in total revenue that the thirty-nine States will lose because of the repeal of the bingo stamp system.



While the uniformity provisions will mean substantial savings for the trucking industry, we are disappointed that the final bill did not adopt the Administration's proposal to eliminate State economic regulation of the rates and services of interstate motor carriers which could mean even greater savings for the motor carrier industry.

Environmental Features. A number of provisions that the Administration proposed to help communities deal effectively with environmental concerns were included in the Act. As noted above, the flexible use of a large percentage of the funds for highways or transit is important, as is the broadened use of funds for bicycle and pedestrian projects. In addition, in an expansion of a provision in the Administration's bill, the Act provides for a new \$6 billion Congestion Mitigation and Air Quality Improvement Program to provide grants to States for projects to reduce congestion and to help meet new clean-air attainment goals. Further, a congestion pricing pilot program is included. The expanded research and technology program will enable states to assess environmental impacts and various mitigation strategies more effectively. The transportation enhancement activities under the new Surface Transportation Program also will support environmental objectives such as historic preservation.

As previously noted, the Act requires bridge, pavement, congestion, safety and transit management systems. Many of these will help State and local governments better meet clean air and other environmental requirements. In addition, the strengthened planning processes at the local, regional and statewide levels will allow areas to better incorporate environmental considerations. In particular, coordination of air quality and transportation planning processes is required.

Finally, the Act included the Administration's proposal to authorize States to use highway funds to conserve, restore and enhance wetlands, to participate in wetlands mitigation banks, and to develop state wetlands conservation and mitigation plans.

New Technology and Research. The final bill authorizes \$659 million for research and operational tests on Intelligent Vehicle Highway Systems (IVHS) and \$725 million for development of a magnetically levitated prototype and \$75 million (one third of which is from the Highway Trust Fund) for a national high speed ground transportation system. These technologies hold real promise to revolutionize surface transportation in decades to come. Other areas of highway, highway safety, and transit research and technology applications will be enhanced under the bill, in partnership with State and local governments, institutions of higher learning and the private sector.

Special Projects and Match. The Administration has consistently and strongly opposed inclusion of special demonstration projects in the bill. Nevertheless, the final bill provides approximately \$6.2 billion for over 500 special highway demonstration projects. However, over 50 percent of these projects are either on the



proposed National Highway System or on State priority lists and would be funded in any case.

The Administration had also strongly advocated a higher relative investment by States and localities as a condition of Federal aid. However, the realities of the current economic climate and tight budgets in many States afforded virtually no support for that effort. The final bill provides for a general 80/20 Federal/State match.

Metropolitan Washington Airports Authority (Title VII). This title incorporates the text of H.R. 3762, a bill that the Administration opposed when it passed the House in mid-November because the Justice Department advised that the "Congressional Board of Review" provisions would raise serious constitutional questions. We agree with the Department of Justice that the changes made by this title to the Metropolitan Washington Airports Act of 1986 (the Act) are insufficient to correct the constitutional deficiencies cited by the Supreme Court in its June 1991 decision (Metropolitan Washington Airports Authority v. Citizens for the Abatement of Aircraft Noise, Inc., 111 S.Ct. 2298). We believe that the courts will reach the same conclusions in any new litigation that they have in the past, with the probable result that the Airports Authority will continue to be without authority to undertake major actions. Because this is the likely outcome whether or not H.R. 2950 is signed, we do not believe inclusion of this title in the bill should bear on the decision to sign the legislation.

#### Conclusion

On balance, we are pleased that so much of the Administration's proposal served as the foundation for the final outcome of this comprehensive bill. The Department of Transportation believes that the "Intermodal Surface Transportation Efficiency Act of 1991" represents a good compromise among the Administration, House, and Senate proposals. Accordingly, we recommend that the President sign the enrolled bill.

Sincerely,



Arthur J. Rothkopf

Enclosure: Draft Signing Statement



# Eno

Center for  
For Immediate Release  
Transportation

THE WHITE HOUSE  
Office of the Press Secretary

December , 1991

STATEMENT BY THE PRESIDENT

Today I am pleased to have signed into law H.R. 2950, the "Intermodal Surface Transportation Efficiency Act of 1991." This law provides a new structure for our Federal surface transportation programs -- highway, highway safety, and transit -- and authorizes funds for those programs for the next six years. It is a landmark piece of legislation that will carry the Nation into the post-Interstate era and help provide the transportation infrastructure for improved economic productivity and enhanced international competitiveness. In the short term, it provides more than \$11 billion that can be used this fiscal year to build highway projects. Those funds will ensure jobs for some 660,000 Americans. The law will continue support for jobs in the highway and transit construction industries over the next six years.

All those involved with the Nation's surface transportation system recognized that it was time to redesign our Federal programs. The Interstate System -- the largest public works project in history -- is very near completion, and this law provides the last funds necessary to finish it. The Interstate System has fundamentally changed transportation in America. It has made it easier and cheaper to move goods, and virtually all Americans benefit from the speed and efficiency with which they can move from place to place on our Interstate highways. We all recognized, however, that our focus must change from major highway construction to better maintenance and use of our existing highway and transit facilities.

A key element of our proposal was the National Highway System. Ours was not a call for a major new construction program, but rather for identification of those key highways throughout the country that are the arteries for interstate travel and, therefore, critical to economic productivity and international competitiveness. It was a call for dedication of sufficient funds to the National Highway System to ensure that projected traffic increases on those highways can be accommodated without deterioration in their physical condition or ability to move traffic. This new law establishes the National Highway System and provides the funds necessary to keep it performing efficiently.

Another major element of our proposal was to provide State and local officials unprecedented flexibility. We proposed to give those officials the discretion to use a major portion of their Federal surface transportation funds on the improvements that would best address their local problems, without restricting them to specific categories of highway projects or even to highway projects where public transit might better meet local needs. Identical non-Federal matching fund requirements for highway and transit projects will help to ensure that this local flexibility will not be limited by funding considerations. State and local officials have played an ever more important role in project selection and project monitoring as the Federal programs have matured. The day has clearly come for the Federal government to step back and let its partners play the lead role, and this law gives them that role.

We all also recognized the need for a larger role for the private sector in helping to meet surface transportation needs. Consistent with our proposal, this new law removes a number of Federal barriers to private sector involvement. In particular, it lifts the current general prohibition against financing highway improvements with a combination of Federal funds and private



investment to be repaid with toll revenue. Federal funds will be available to help entrepreneurs who, under contract with appropriate State agencies, are willing to build or improve roads that motorists want and are willing to pay to use.

The new law also extends the current Federal highway traffic safety program, which has proven to be so successful: the fatality rate on our Nation's highways was lower in 1990 than in any year since records have been kept. In addition to extending our current efforts, the law establishes new incentive grant programs to the States to fight drunk driving and encourage greater safety belt and motorcycle helmet use.

Title VII of the bill is intended to resolve the current inability of the Metropolitan Washington Airports Authority, here in the Nation's capital, to pursue its program of long-term improvements at National and Dulles Airports. The Supreme Court declared a Congressional oversight mechanism in the 1986 legislation creating the Airports Authority to be a violation of the separation of powers principles of the Constitution. During Congressional consideration of amendments intended to cure the defects found by the Supreme Court, the Administration expressed the view that the new Board of Review created by Title VII would violate the Appointments Clause of the Constitution. Our concerns remain. This matter will now be resolved in court and may result in the Airports Authority being deprived of long-term decisional authority. I strongly believe in the underlying objective that shifted these former Federal facilities to regional control in 1986, and I pledge to work quickly with Congress on any further legislative corrections that may be needed.

This new law gives us the means to improve our surface transportation system in the years to come, but it also promotes research into what will surely be revolutionary changes in the next century. Intelligent Vehicle and Highway Systems, magnetically levitated high speed ground transportation systems, and a new transit research partnership with State and local governments are all given new impetus in this law. Further, this law provides new tools to ensure that transportation improvements address the Nation's environmental needs. For example, it will mean funds for wetland banks and for transportation projects that will improve our air quality.

Any legislation this comprehensive and involving this much change is sure to raise serious policy issues about which reasonable people will disagree, and this new law has been no exception. I commend the major sponsors of this legislation, however, for staying the course, striking compromises among the many conflicting views over the shape of these new programs, and producing this much-needed bill.

GEORGE BUSH

THE WHITE HOUSE  
December , 1991





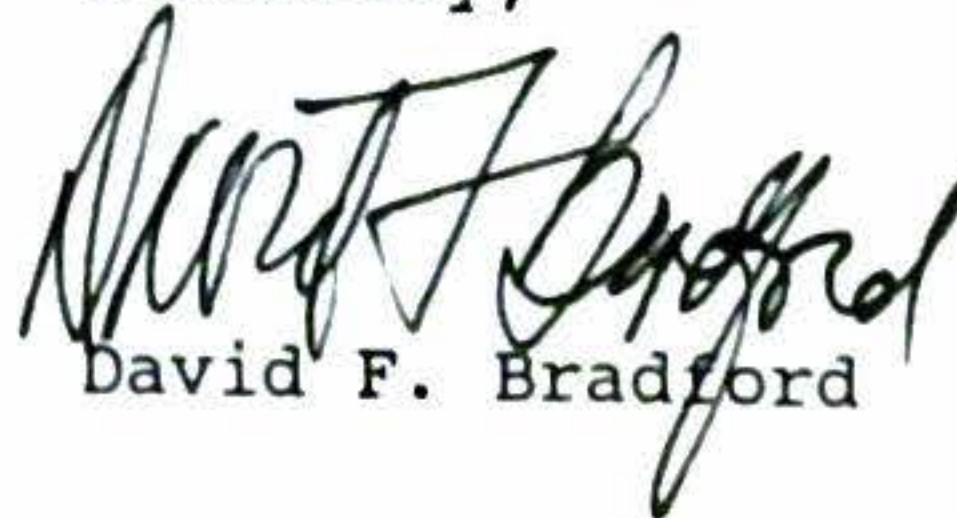
EXECUTIVE OFFICE OF THE PRESIDENT  
COUNCIL OF ECONOMIC ADVISERS  
WASHINGTON, D C 20500

December 3, 1991

Dear Mr. Martin:

In response to your request of December 3, 1991, The Council of Economic Advisers recommends that the President sign H.R. 2950, Intermodal Surface Transportation Infrastructure Act of 1991.

Sincerely,



David F. Bradford

Mr. Bernard H. Martin  
Assistant Director for  
Legislative Reference  
Office of Management and Budget  
Rm. 7202, NEOB  
Washington, D.C. 20503



# National Transportation Safety Board

Washington, D.C. 20594

December 5, 1991



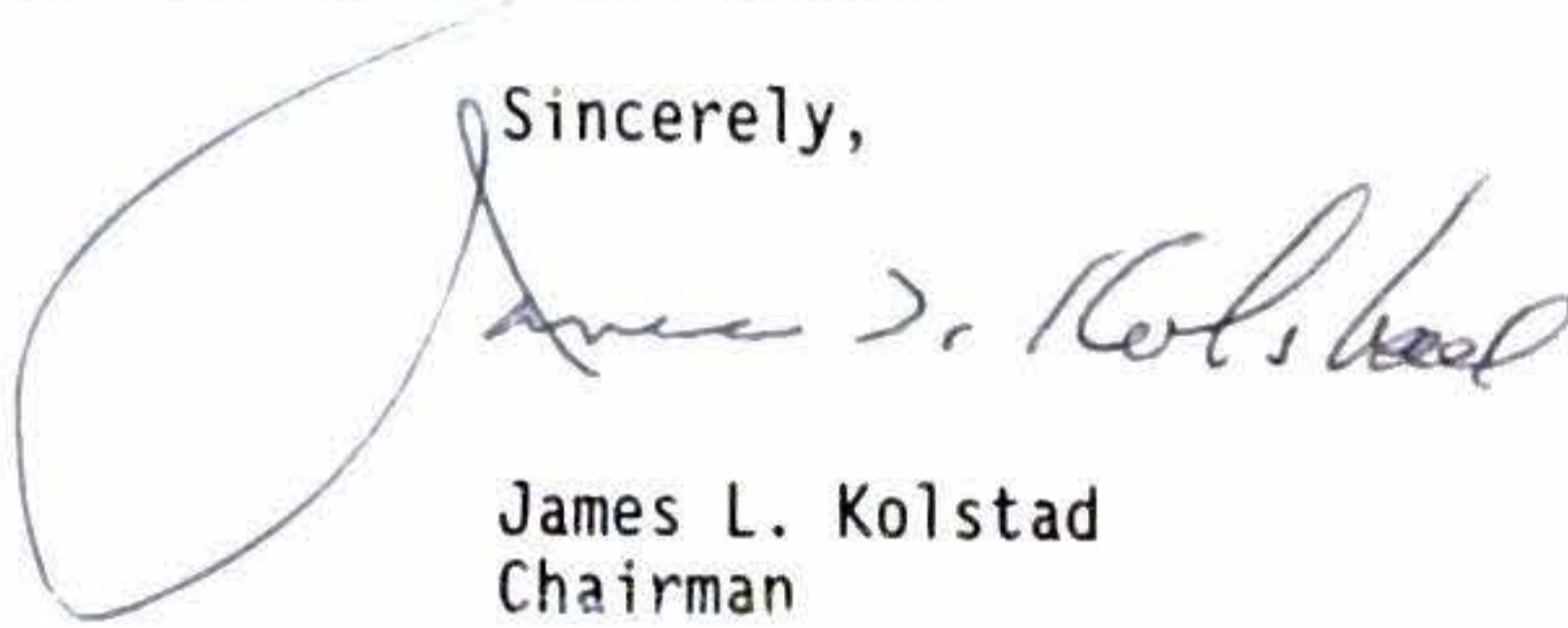
Mr. Bernard H. Martin  
 Assistant Director for  
 Legislative Reference  
 Office of Management and Budget  
 Executive Office of the President  
 Washington, D. C. 20503

Dear Mr. Martin:

This is in response to your request for the views of the National Transportation Safety Board (NTSB) on the enrolled bill -- H.R. 2950, Intermodal Surface Transportation Infrastructure Act of 1991.

The NTSB has no objection to this bill, and we recommend that H.R. 2950 be signed into law by the President.

Sincerely,



James L. Kolstad  
 Chairman





# Federal Emergency Management Agency

Washington, D.C. 20472

Center for  
Transportation

DEC - 4 1991

The Honorable Richard G. Darman  
Director  
Office of Management and Budget  
Washington, DC 20305

Dear Mr. Darman:

This is in response to your request for comments on the enrolled bill, H.R. 2950, entitled "Intermodal Surface Transportation Infrastructure Act of 1991."

The Federal Emergency Management Agency has no objection for the approval of the enrolled bill by the President.

Sincerely,

A handwritten signature in cursive script, which appears to read "Patricia M. Gormley".

Patricia M. Gormley  
General Counsel



# Eno

Center for  
Transportation

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

December 18, 1991

## STATEMENT BY THE PRESIDENT

Today I am pleased to sign into law H.R. 2950, the "Intermodal Surface Transportation Efficiency Act of 1991." This law provides a new structure for our Federal surface transportation programs -- highway, highway safety, and transit -- and authorizes funds for those programs for the next 6 years.

H.R. 2950 is landmark legislation. It will carry the Nation into the post-Interstate era and help provide the transportation infrastructure for improved economic productivity and enhanced international competitiveness. In the short term, this bill means jobs for working Americans. It provides more than \$11 billion that can be used this fiscal year to build highway projects. During the coming year, those funds will provide jobs for over 600,000 Americans. The law will continue to support jobs in the highway and transit construction industries over the next 6 years.

When we submitted to the Congress our proposal for reauthorization of Federal surface transportation programs earlier this year, all those involved with the Nation's surface transportation system recognized that it was time to redesign these programs. The Interstate System -- the largest public works project in history -- is very near completion, and this law provides the final funds to finish it. The Interstate System has fundamentally changed transportation in America. It has become easier and cheaper to move goods, and virtually all Americans benefit from the speed and efficiency with which they can move from place to place on our interstate highways. But our focus must now shift from major highway construction to better maintenance, management, and use of our existing highway and transit facilities.

A key element of our proposal was the National Highway System. Ours was not a call for a major new construction program, but rather for identification of those key highways throughout the country that are the arteries for interstate and interregional travel or roads that link those routes to major ports, airports, and other critical transportation facilities. It was a call for dedication of sufficient funds to the National Highway System to ensure that projected traffic increases on those highways can be accommodated without deterioration in their physical condition or ability to move traffic. This new law establishes the National Highway System and provides the funds necessary to keep it performing efficiently.

Another major element of our proposal was to provide State and local officials unprecedented flexibility. We proposed to give those officials the discretion to use a major portion of their Federal surface transportation funds on the improvements that would best meet local needs, whether highway projects or public transit projects. State and local officials have played an ever more important role in project monitoring as the Federal programs have matured. The day has clearly come for the Federal Government to step back and let its partners play the lead role, as this law provides.

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We all also recognized the need for a larger role for the private sector in helping to meet surface transportation needs. This legislation establishes that new private sector role. It is historic because of the changes it makes to encourage privatization of our transportation infrastructure. It removes a number of Federal barriers to private sector involvement. It lifts the current general prohibition against financing highway improvements with a combination of Federal funds and private investment to be repaid with toll revenue. Federal funds will be available to help entrepreneurs who, under contract with appropriate public authorities, are willing to build or improve roads that motorists want and are willing to pay to use. The Act will leverage more dollars into the transportation infrastructure and create even more jobs.

The new law extends the current Federal highway traffic safety program, which has proven to be so successful: the fatality rate on our Nation's highways was lower in 1990 than in any year since records have been kept. In addition to extending our current efforts, the law establishes new incentive grant programs to encourage the States to fight drunk driving and promote the safety of vehicle occupants.

Title VII of the bill is intended to resolve the current inability of the Metropolitan Washington Airports Authority to pursue its program of long-term improvements at National and Dulles Airports. The Supreme Court declared a congressional oversight mechanism in the 1986 legislation creating the Airports Authority to be a violation of the separation of powers principles of the Constitution. During congressional consideration of amendments intended to cure the defects found by the Supreme Court, the Administration expressed the view that the new Board of Review created by Title VII would violate the Appointments Clause of the Constitution. We adhere to this view, noting that the matter will now be resolved in court. I strongly support the shift of these former Federal facilities to regional control, and my Administration stands ready to assist in developing legislative amendments that will not be subject to constitutional challenge.

This new law gives us the means to improve our surface transportation system in the years to come, but it also promotes research into what surely will be revolutionary changes in the next century. Intelligent vehicle-highway systems, magnetically levitated high-speed ground transportation systems, and a new transit research partnership with State and local governments are given new impetus in this law. Further, this law provides new tools to ensure that transportation improvements address the Nation's environmental needs. For example, it provides funds for wetlands mitigation banks and for transportation projects that will improve our air quality.

Any legislation this comprehensive and involving this much change is sure to raise serious policy issues about which reasonable people will disagree, and this new law has been no exception. I commend the major sponsors of this legislation, however, for staying the course, striking compromises among the many conflicting views over the shape of these new programs, and producing this much-needed bill.

GEORGE BUSH

THE WHITE HOUSE,  
December 18, 1991.



The logo for Eno, featuring the word "Eno" in a large, light blue, sans-serif font.The logo for the Center for Transportation, with the text "Center for Transportation" in a smaller, light blue, sans-serif font.

THE WHITE HOUSE

Office of the Press Secretary  
(Dallas, Texas)

For Immediate Release

December 18, 1991

REMARKS BY THE PRESIDENT  
IN SIGNING CEREMONY FOR SURFACE TRANSPORTATION BILLState Highway 360 Construction Site  
Eules, Texas

10:07 A.M. CST

THE PRESIDENT: Thank you very, very much. Arnold, thank you. You did just great. Thank you all. Please be seated, and thank you so much. Angela Dominguez, over here, thank you so much for being with us. And Dr. Friend, thank you, sir, for your remarks, especially the kind reference to my dad. I know how deeply he believed in one of Eisenhower's greatest legacies, that Interstate Highway System.

To Acting Secretary of Transportation Busey and to -- of course, I would like to single out my new Chief of Staff Sam Skinner, who deserves great credit for what we're about to sign here today. He's with us.

Let me single out the members of Congress, the ones sitting on the dais here. This bill required some very heavy lifting. And I'm particularly grateful to all those members that are here today, but let me just particularly welcome Senator Moynihan; Senator Reid; Senator Lloyd Bentsen, our own Senator from Texas; Congressman Bud Shuster; Chairman Roe, from the House side who did such a superb job on this; Norm Mineta, another member of Congress; and then my old friend and colleague, Congressman John Paul Hammerschmidt from Arkansas.

But there are many more members here today. And the point I want to make is this wasn't a Republican effort, a Democrat effort, a liberal or conservative; it was bipartisan and it was all-American. And I think it's going to be a great thing for this country.

I also want to salute Steve Bartlett, who -- a former member of Congress, who has long been interested in this -- the new Mayor of Dallas. We have other leaders here from Fort Worth as well. I'm told that Charlotte Mays, the newly-elected City Councilwoman from Dallas, came over with us. But in any event, we have a great turnout of local and state officials which I think bodes well, or speaks well of the kind of legislation we have.

We also have with us the Federal Highway Administrator Tom Larson; Urban Mass Transit Administrator Brian Clymer; the Federal Railroad Administrator Gil Carmichael. Arnold Oliver is the Executive Director of the Texas DOT. James Morris, Chairman of Mothers Against Drunk Driving is here, and that's important. Other representatives of MADD are with us here today.

Honored guests and fellow Texans and fellow Americans, welcome to all of you, particularly those working in this construction project.

That great observer of democracy, DeTocqueville, once called America "a land of wonders, in which everything is in constant motion and every change seems an improvement." Well, today, we

MORE



Center for Transportation

celebrate an improvement that can keep America in motion: The most important transportation bill, as Dr. Friend said, since President Eisenhower started the interstate system 35 years ago.

This bill will launch the postinterstate era of America's surface transportation system. It will enable us to build and repair roads, fix bridges, and improve mass transit -- keeps Americans on the move and help the economy in the process. But really, it is summed up by three words -- jobs, jobs, jobs. And that's the priority.

Yes, these are tough times, and, yes, there are layoffs and many families are having a rough go of it. And the American people want action. And action is what they'll get. And I want every American to know that getting the economy back on track is my number one priority, and I expect I speak for the members of Congress here from both sides of the aisle -- it is their number one priority as well.

Today we're taking action -- \$11 billion pumped into the economy -- supporting 600,000 jobs. Tomorrow I'll meet with the trade mission that I'm leading to Japan to open -- help open the giant markets there to more American exports. And that means the same three words -- jobs, and jobs, and jobs.

We Americans are inspired by the idea that tomorrow can be better than today. And shortly I will sign a bill that puts that idea into action. It's full name is the Intermodal Surface Transportation Efficiency Act. And that's shorthand for progress. Progress for our infrastructure, for the economy, and I'm proud to stand here and say this bill is progress for working Americans all across this great country.

This act will pump \$11 billion into the economy immediately, supporting more than 600,000 jobs in Fiscal 1992 -- in Texas alone, more than 41,000 jobs. Many of those workers will develop sites like these, demonstrating the combination of transportation planning, high-tech and teamwork America -- and teamwork that America needs to prevail in the world marketplace.

Today's event confirms that America will prevail. As a result of this bill -- on this site alone -- it means 150 jobs and \$31 million dollars in spending. And the benefits won't stop at this site. Not far from here, over in Plano, Texas, a company called Luminator Mark Four makes products for mass transit systems. I understand that Luminator hopes to use funds provided by this act to expand its work force by 35 percent. That would be another 150 jobs -- jobs right here in our state of Texas.

Across America, the Transportation Act will help companies put people back to work. And it's in addition to the government programs I've ordered speeded up -- putting \$9.7 billion extra into the economy during the first two quarters of the fiscal year.

And this bill also means investment in America's economic future, for an efficient transportation system is absolutely essential for a productive and efficient economy. Give Americans the tools to compete and I'm confident that we can outthink, outperform, outproduce anybody, anywhere.

Our bill gives the private sector new incentives to support our road system. For instance, this land has been donated by local business, and I'm especially proud that Congress accepted our proposal to help private firms build and operate new private toll roads. Private toll roads can pay their way, creating higher state and local revenues, better services, more investment, and once again, more jobs.

Here's another part of the bill I like: It authorizes a new incentive program to improve occupant safety and to prevent drunk



driving. Especially in the holiday season, it just breaks my heart to see needless tragedy on our nation's roads. It's time we got the drunk drivers off the roads once and for all. And I know the people of MADD -- Mothers Against Drunk Driving -- agree with that. And behalf of a grateful nation, this is a good time to thank them for what they're doing for everybody all across this country.

As much as anything, by improving our transportation system, today's signing will help America compete in the global marketplace. When we move America, America moves the world.

And it doesn't require genius to know that in an international marketplace, a nation moves no more rapidly than its infrastructure permits. And yet, too often, goods are held up or workers are late to their jobs because our surface transportation system simply isn't up to the job. I'm glad to say this bill is going to start changing that.

Each year, eight billion hours, it's estimated, are wasted in traffic delays. This act, in combination with state and local efforts, will help curb congestion through projects that link highways like SH 360 and mass transit like the light rail and highspeed systems between Dallas, Fort Worth, and the DFW Airport. We have to help the employee who's stuck in traffic so that he or she can get to work and help the economy. And the place to start that one is right here; the time to begin, right now.

All of us know the state of some of our highways. And I'm reminded of them when I read the Isaiah verse of the admonition that "The crooked shall be made straight, and the rough places plain." I'm not sure Isaiah had that in mind, thinking about the shape of our interstate system. But nevertheless, this Transportation Act will smooth out and streamline our nation's highways. And it will enhance our transportation efficiency by investing in our 155,000-mile National Highway System.

I'm pleased that the increased funding will improve road conditions, ease traffic congestion and reduce delays for the trucking industry, thus letting them move those consumer goods more quickly and at lower cost, and reducing our dependence on foreign oil. The new national system will represent only four percent of all public roads but will carry 75 percent of intercity truck traffic and 40 percent of all travel. This system will increase access to American products and services and then ultimately, prosperity. And that's good for Dallas, good for Texas, good for Fort Worth, good for Tarrant County, good for Dallas, good for America, and I'm proud, very proud, that the bill will make that happen.

Transportation is an \$800-billion-a-year business. And as the world trade grows larger, and as our planet, because of communications becomes smaller, an efficient transportation system will become even more important than it is today.

So I want to congratulate Secretary Skinner. I want to single out and congratulate all of the congressional leaders who got the job done on this legislation. And to the rest of you here -- our many partners in this process -- my appreciation for the tireless effort, the long hours and determination that all of you invested in supporting this forward-looking legislation.

I also want to thank the state highway and transportation administrators -- indeed, every American. You knew that transportation can help keep America "a land of wonders" -- and you made your voices heard.

The future of American transportation begins today. And so when we look back years from now to this landmark day for America's transportation, we'll be able to say, mission defined, mission accomplished.



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So to all of you, may God bless you at this very special time of year. And now let me sign this bill so we can get some projects underway and get people back to work.

Eno  
Center for  
Transportation

And thanks for being with us, all of you. (Applause.)

END

10:20 A.M. CST





THE WHITE HOUSE

Office of the Press Secretary  
(Dallas/Fort Worth, Texas)

EMBARGOED FOR RELEASE  
UNTIL 10:30 P.M. CST  
11:30 P.M. EST  
WEDNESDAY, DECEMBER 18, 1991

FACT SHEET

THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991

President Bush today signed "The Intermodal Surface Transportation Efficiency Act of 1991." This new law, authorizing \$151 billion over six years, contains most of the major innovations for restructuring Federal surface transportation programs proposed by the Administration last February and establishes the framework for the post-Interstate era in America. Its major principles are:

- focused Federal investment on a National Highway System, a network of primarily existing major highways, including the Interstate System, that carry the bulk of intercity travel and the nation's commerce;
- unprecedented flexibility for State and local governments to use a large portion of the Federal funds authorized in this legislation to solve local transportation problems in the ways that best meet local needs;
- new opportunities for private sector involvement in meeting surface transportation needs;
- increased funding and new incentives to promote congestion relief, highway safety, and environmental quality; and
- a new emphasis on technology development to prepare our transportation network to meet tomorrow's challenges.

This act will pump an additional \$11 billion into the economy immediately -- creating more than 600,000 jobs in the 1992 fiscal year.

MAJOR FEATURES OF THE BILL

National Highway System. The new law establishes a National Highway System of 155,000 miles and provides funding that should ensure that conditions and performance of the System can be maintained through the life of this legislation in the face of projected increases in travel. The National Highway System (NHS) will comprise about 4 percent of public road mileage in this country, but carry 40 percent of all



vehicle miles traveled and 75 percent of intercity truck travel. An efficient NHS will help keep prices of American goods down, thereby benefiting American consumers as well as American producers, whose products in turn will be more competitive in foreign markets.

Flexible Surface Transportation Program. The bill the President signed today consolidates an array of existing categorical highway programs into a new Surface Transportation Program, giving the States greater flexibility in the use of the funds for highway projects. It goes even further, though: as the Administration had proposed, these flexible funds will be available to support transit capital projects if State and local officials decide that transit is the better investment to improve surface transportation efficiency and environmental quality in the local area.

Bridge Program. A separate program to provide funds for the rehabilitation and replacement of existing bridges will be retained, and funding will be increased, as the Administration had proposed.

Toll Financing and Privatization. For the first time in the history of the Federal aid highway program, State and local governments will have broad discretion to use Federal funds for the construction and reconstruction of toll roads. They will also be able to mix Federal funds and tolls to upgrade existing free, non-Interstate highways. In many cases, toll financing can permit highway construction or reconstruction to proceed much sooner than if State and local governments had to rely on limited user fee or general revenue resources. As proposed by the Administration, the new law permits States to contract with private developers to construct or improve toll highways with joint public and private investment. State-of-the-art technology can charge tolls to motorists' credit cards without the need for them to stop at toll booths.

Improved Management and Planning. As proposed by the Administration, the new law requires States to develop and implement management systems to improve accountability and optimize investment. In addition, a much stronger planning process is proposed at the local, regional, and statewide levels, incorporating environmental considerations at the earliest possible stage.

Transit Assistance. The new law authorizes a much greater portion of the program from the Mass Transit Account of the Highway Trust Fund, but at significantly higher total levels than the Administration had proposed. The law also earmarks a major portion of those funds for new transit projects that may not be cost-effective investments. The Administration and Congress will have to decide, through the appropriations process in the years to come, whether limited Federal funds can be effectively used as the mass transit provisions of this legislation contemplate.

Highway Safety. The new law continues and strengthens the current Federal highway traffic safety program, which has been a proven



success: the fatality rate on our Nation's highways was lower in 1990 than in any year since records have been kept. Tens of thousands of lives have been saved over the past decade by increased seat belt use and a reduction in drunk driving. These welcome trends have been encouraged by Federal highways safety grants, safety features that have been incorporated into new cars either as the result of Federal regulations or voluntary actions of the vehicle manufacturers, and safer design of our highways. Incentive grants to encourage greater occupant protection and reduced drunk driving have been included in the legislation.

New Technology. Intelligent Vehicle and Highway Systems and magnetically levitated and other high speed ground transportation systems hold real promise to revolutionize surface transportation in the decades to come, as on-going research and demonstration efforts conducted by the Department of Transportation have shown. These efforts will be continued under the terms of the new law, and other areas of highway, highway safety, and transit research will be enhanced, in partnership with State and local governments and the private sector.

Environmental Compatibility. The Nation has recognized the need to improve air quality and preserve other environmental assets, such as wetlands. The bill the President has signed provides new tools to help ensure that transportation improvements address environmental concerns. As the Administration had proposed, the bill permits pilot programs to apply congestion pricing strategies in a limited number of urban areas. The law also permits the use of Federal highway funds in the development of wetland banks to offset the use of wetlands in highway construction. It provides funds for projects to improve air quality and, by providing broad flexibility in the use of Federal funds for highway or transit projects, permits localities to address air quality concerns as well as transportation needs.

Productivity. The new law will reduce the administrative costs to the truck and bus industry in complying with State requirements by some \$1 billion annually. The law directs States to participate in the International Registration Plan and the International Fuel Tax Agreement, permitting trucks to register and pay fuel taxes in their "base" State rather than in all the States in which they operate.

#### ACCELERATION PROJECT

The President directed the Department of Transportation to expedite the flow of funds authorized by this new law for highway and transit projects to the State and local governments that can use them to put people to work and renew our transportation infrastructure.



# Eno

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## Initiatives to Accelerate Highway Funds

All of the highway funds in this new law that are available this fiscal year and that are apportioned by statutory formula or earmarked in the law are being distributed by the Federal Highway Administration (FHWA) today. The remaining discretionary funds, which require applications from the States and evaluation by FHWA, will be distributed as soon as possible. FHWA will work with the States to expedite release of those funds. As a result of FHWA's actions, approximately \$200 million in discretionary funds and \$500 million in funds for special projects will be released about two to three months sooner than normal.

This new law makes major changes in the highway program structure and in the eligibility of funds. FHWA has issued interim guidance on the use of the newly authorized funds to help States move promptly.

The new law contains a provision permitting the States to waive the non-Federal matching requirement for the next two fiscal years. The waived amount must be paid back in future years. FHWA will encourage States that are having severe financial difficulties to use this provision so that projects can be approved and funded without having to wait for matching funds to be identified.

## Accelerated Transit Funds

The Federal Transit Administration (FTA) is also making formula transit grant funds, including rail modernization funds, available to its recipients today. Additionally, it will encourage use of advance construction authority and other means of making Federal commitments of future-year funds to allow projects to proceed now.

Using new procedures and guidance in this law, FTA will obligate about \$160 million more in rail modernization funds and \$140 million more in discretionary bus funds during the first half of this fiscal year than it would normally obligate.

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