

## Senate, House give country another month of SAFETEA-LU

From the Federal Parks & Recreation newsletter  
October 2009

To no one's satisfaction, Congress last week extended the current surface transportation law to the end of October to buy time to work out a still longer extension. The Senate was dissatisfied because it wanted to pass a three-month extension with a restoration of \$8.7 billion in rescinded past years' surface transportation allocations. Senate leaders eventually want to put together an 18-month extension of the existing law. The House was dissatisfied because it wanted a clean three-month extension, followed by an all-out effort to write a new six-year surface transportation law by the end of the calendar year. Now the Senate, led by Senate Environment and Public Works (EPW) Committee Chairman Barbara Boxer (D-Calif.), will attempt to strike a deal this month with the House, led by House Transportation Committee Chairman James Oberstar (D-Minn.) The problem here is Boxer and her committee are totally occupied with the writing of a climate change bill. Still, an aide to Oberstar put the onus on the Senate. "What we do next is up to the Senate," he said. "They could take up a three-month extension bill and have until the end of the year to decide if they want a six-year bill or a lowball for 18 months."

There has been little motion in the last few days, the Oberstar staff member said. "As far as I know there has been no deal worked out. Any movement depends on how dug in the Senate is on the rescission money. Mr. Oberstar is dug in on wanting to make progress on a six-year bill." Congress did extend for a month the old surface transportation law, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), in PL 111-68 on October 1 (PL 111-68.) The failure by Congress to cancel the \$8.7 billion rescission will have immediate impacts, according to the American Association of State Highway Transportation Officials (AASHTO.) Combined with earlier rescissions it means states will have \$1 billion less to spend on highway programs this October than they did last October. "This rescission will amount to real dollar losses to programs and projects, and will impact many state departments of transportation," said John Horsley, executive director of AASHTO. "It will reverse some of the positive gains brought about by the highway spending provided for by the (economic stimulus law.)"

Boxer and ranking EPW Republican James Inhofe (Okla.) did attempt to kill the rescission on the Senate floor September 30 by first offering to make up the money from a bank bailout law and then from the economic stimulus law. Both offers were met by objections from other senators that stymied the two proposals. Besides, the House could not have accepted the rescission cancellation because its pay-as-you-go rules don't allow it. Oberstar asked the Senate to accept a bill (HR 3617) the House approved September 23. Oberstar said September 30, "Last week, the House passed H.R. 3617, the Surface Transportation Extension Act of 2009', a clean, three-month extension of the Federal highway, highway safety, and transit programs, by an overwhelming vote of 335-85. . . I urge the Senate to follow the House's lead, and clear H.R.3617 for the President. . ."

Inhofe blamed Oberstar, but not by name, for the failed rescission. "Our attempts to set a prudent length for the highway extension has been plagued by some peoples' unrealistic expectation that we can complete a six-year transformational highway bill and plug a \$150 billion shortfall in the next three months if we 'keep the pressure' on," he said. "After

twelve short-term extensions during the development of SAFETEA in 2003-2005, I have learned the hard way, that strategy does not work." The House subcommittee on Highways and Transits June 24 approved the six year, \$500 billion bill - the Surface Transportation Authorization Act of 2009 - that Inhofe derided. The subcommittee bill is generally supportive of park and rec programs. The Surface Transportation Authorization Act of 2009 would extend for six years such outdoor programs as transportation enhancements (still at 10 percent of total allocations for the Surface Transportation program), recreational trails, scenic byways, federal and Indian land roads, and Safe Routes to School. All the programs except enhancements would receive individual allocations of unspecified amounts. The subcommittee has not filled in program allocations yet. In addition the subcommittee bill contains a new concept that could boost outdoor programs - livability." It is backed by both President Obama and Oberstar. The bill would create a new Office of Livability that would oversee transportation enhancements, recreational trails, scenic byways, Safe Routes to School and a new U.S. bicycle route system. The bike route program would in turn provide grants to states and Indian tribes (80 percent federal money) to establish a national system. The money would be used for construction (at least half of all expenditures), planning, mapping, signage and promotions.