

The Federal Flyer

FY 2005 Omnibus Appropriations Act Includes Transportation Funding *Programs Affected by Earmarks and Cuts*

The Congress has passed and the President has signed into law H.R. 4818, the FY 2005 omnibus appropriations bill, which includes both formula and discretionary funding for highway, aviation and transit programs.

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The \$388 billion omnibus measure provides \$33.4 billion for the federal-aid highway programs, \$7.6 billion in transit funding, and \$13.8 billion for the nation's aviation systems, including \$3.5 billion for the Airport Improvement Program. The bill sets a highway obligation limitation of \$34.4 billion; however, it transfers \$156 million to National Highway Traffic Safety Administration and sets aside \$1.2 billion for Section 117 (Surface Transportation Project earmarks), leaving an even \$33 billion for the states and the Federal Highway Administration.

Unfortunately, the appropriators chose to shave off some 4.2% of federal-aid highway program formula dollars to fund the Section 117 earmarks. If these \$1.2 billion had been left in the formula program for distribution subject to the Minimum Guarantee calculation, Texas would have been guaranteed to receive at least \$99 million of these funds. Instead, because they were used for earmarks, Texas will only receive \$63 million of these "off the top" funds, resulting in some \$36 million in Texas dollars being sent to other states for their earmarks.

Texas' overall share of highway and ITS project earmarks (including the Section 117 earmarks) provides only a 0.56¢ rate of return on the state's contributions to the Highway Trust Fund. The bill includes more than \$83 million in federal discretionary earmarks for Texas highway and ITS projects throughout the state.

Transit funding includes \$4 billion for formula grants, \$1.46 billion for new start projects, \$1.2 billion for rail modernization, \$670 million for buses and bus facilities, and \$124 million for the Job Access Reverse Commute Program. Approximately \$2.28 billion of all transit funding was distributed via earmark. Texas transit operators will receive nearly \$63 million in earmarked transit funds and \$240 million in formula funds from the bill in FY 2005.

The omnibus bill also includes \$41 million in earmark funding for a variety of aviation projects. A detailed list of Texas transportation earmarks in the FY 2005 appropriations bill is provided on the following pages. Note: It is difficult for TxDOT to confirm the sponsoring members and locations for many of these projects due to the private nature of the appropriations request process.

TEXAS HIGHWAY PROGRAM EARMARKS	AMOUNT
City of Ft. Worth Intelligent Transportation Systems	\$1,800,000
City of San Antonio Municipal ITS Technologies	\$1,300,000
Freeway Incident Management Program, Houston	\$3,250,000
Laredo ITS Multi-Agency Integration and Incidence Project	\$500,000
TMC Transportation Operations Center	\$400,000
Subtotal - Intelligent Transportation Systems Deployment Earmarks	\$7,250,000
I-635	\$2,450,000
Loop 49 from SH 155 to SH 31	\$3,000,000
President George Bush Tollway Eastern Extension	\$2,000,000
US 83 from .5 mi. East of FM 1425 to Hidalgo/Cameron	\$1,000,000
Subtotal - Corridor/Borer Earmarks	\$8,450,000
IH-20 - Dyess AFB Access Project	\$750,000
Subtotal - Federal Lands Earmarks	\$750,000
I-30 Dallas Construction of Bridge, Trinity River	\$500,000
IH-30 - IH-635 Interchange	\$1,000,000
Port of Houston Barbours Cut Boulevard	\$1,500,000
Subtotal - Interstate Maintenance Earmarks	\$3,000,000
Buffalo Bayou - San Jacinto Corridor Improvements	\$500,000
City of Brownsville West Rail Relocation Project	\$1,750,000
City of Ft. Worth Corridor Redevelopment	\$2,000,000
Dallas I-30 Replacement Bridge	\$8,000,000
East 7th Street Corridor Improvements, Austin	\$1,250,000
Emergency Services Access	\$4,000,000
FM 1431 East Improvement Project in Cedar Park	\$1,000,000
FM 60 University Drive Project, College Station	\$1,000,000
Fort Worth Peach Street Area Access Improvements	\$1,750,000
Harlingen/West Cameron County Rail Relocation	\$2,800,000
Hidalgo County Loop	\$500,000
Highway 289 in Grayson County	\$750,000
I-30 Bridge	\$1,100,000
I-35 East / I-635 Interchange	\$1,500,000
I-69	\$7,000,000
I-69	\$1,000,000
IH-30 at Collins (FM 157) and Center Streets	\$500,000
I-35 East Expansion	\$1,000,000
Kirby Drive Project, City of Pearland	\$2,800,000
La Entrada al Pacifico Feasibility Study	\$500,000
La Entrada al Pacifico	\$2,000,000
La Entrada Southern Route Study	\$500,000
Main Street Corridor Intermodal Facility	\$500,000
Main Street Corridor Revitalization	\$750,000
McGregor Road Neighborhood Trails, Waco	\$2,000,000
Northeast Parkway, El Paso	\$1,000,000
Pharr International Bridge Improvements	\$1,000,000
Ports-to-Plains Del Rio	\$1,000,000
Ports-to-Plains Eagle Pass	\$2,000,000
Ports-to-Plains	\$2,000,000
State Hwy 6 expansion in Brazos County	\$2,000,000
Trinity River Vision Neighborhood Linkage	\$500,000
US 287 Ennis Bypass	\$1,000,000
US 290 Improvements	\$1,000,000
US 59 2.3 mi. NE of US 181 to US 181	\$500,000

TEXAS HIGHWAY PROGRAM EARMARKS (CONTINUED)	AMOUNT
US 82 from FM 1417 to US 69	\$750,000
US 87 Big Spring Bypass	\$500,000
US 90 Construction	\$1,000,000
West Laredo Trade Corridor	\$3,000,000
<i>Subtotal - Surface Transportation Earmarks (Sec. 117)</i>	\$63,700,000
TOTAL - Highway Earmarks	\$83,150,000

TEXAS TRANSIT PROGRAM EARMARKS	AMOUNT
Abilene Bus and Bus Facilities	\$750,000
Addicks Park & Ride Ramp	\$4,500,000
Brazos Transit District Passenger Shelter Program	\$500,000
Bryan Intermodal Transit Terminal with Parking	\$400,000
Bryan/College Station Bus Replacement Program	\$1,296,000
Capitol Metro North Operating Facility	\$1,200,000
Capitol Metro Buses and Bus Facilities	\$2,000,000
Citibus Vans and Alternative Fuel Buses	\$1,800,000
CNG Bus Replacement	\$400,000
Corpus Christi Buses and Bus Facilities	\$800,000
Dallas Bus Shelters	\$750,000
Denton Downtown Multimodal Transit Facility	\$3,200,000
El Paso Buses	\$3,000,000
Ft. Worth Transportation Authority Fleet Modernization	\$2,400,000
Ft. Worth Transportation Authority Passenger Shelter Replacement	\$700,000
Houston METRO Park and Rides	\$10,000,000
Hunt County Committee on Aging Transit Terminal	\$1,200,000
Hunt County Committee on Aging Transit Vehicles	\$1,000,000
Jefferson County Transit Facility	\$700,000
Laredo Bus Hub and Maintenance Facility	\$2,000,000
San Antonio VIA Metropolitan Transit Bus Fleet Modernization	\$3,000,000
The Woodlands Capital Cost of Contracting Program	\$450,000
Waco Transit Alternative Fueled Bus Purchase	\$4,000,000
<i>Subtotal - Bus & Bus Facility Earmarks</i>	\$46,046,000
Capitol Metro Bus Rapid Transit	\$1,000,000
Dallas NW/SE Extension	\$8,500,000
Houston Advanced Metro Transit Plan	\$8,500,000
<i>Subtotal - New Starts Earmarks</i>	\$18,000,000
Abilene JARC	\$150,000
El Paso JARC	\$500,000
Island Transit JARC	\$600,000
Lubbock Citibus JARC	\$350,000
VIA Metropolitan JARC	\$750,000
<i>Subtotal - Job Access Reverse Commute Program Earmarks</i>	\$2,350,000
TOTAL - Transit Earmarks	\$66,396,000

The bill also provides \$1.4 billion for the Federal Railroad Administration programs, including \$1.2 billion for Amtrak. National Highway Traffic Safety Administration programs are funded at \$233 million in FY 2005. The Federal Motor Carrier Safety Administration is funded at \$447 million, including \$169 million for the Motor Carrier Safety Assistance Program.

TEXAS AVIATION PROGRAM EARMARKS	AMOUNT
Abilene	\$1,260,000
Addison Field, Dallas	\$1,349,375
Houston (TRACON)	\$25,000,000
Montgomery County Airport	\$1,000,000
Subtotal - Terminal Facility Replacement Earmarks	\$28,609,375
Arlington Municipal Airport - Install ILS and MALSR	\$2,500,000
Subtotal - ILS Establishment Earmarks	\$2,500,000
Alliance Airport - Runway extension, relocate navigation aids and associated relocations	\$4,000,000
Brooks County Airport - Land acquisition for runway extension	\$100,000
Brownsville-South Padre Island Airport - Eng. costs assoc. w/ increasing runway length	\$1,250,000
Collin County Regional Airport - Reconstruction/overlay of parallel taxiway and runway overlay	\$300,000
Edinburg Airport - Design and engineering for upgrades to add cargo capacity	\$100,000
Granbury Municipal Airport - Runway extension	\$1,250,000
Levelland Municipal Airport - Renovation Project Phase I	\$68,000
Littlefield Municipal Airport - Renovation Project Phase I	\$68,000
Mid-Way Regional Airport - Extension of runway 18-356	\$ 700,000
Nacogdoches - A.L. Mangham, Jr. Regional Airport - Runway Expansion Phase II	\$ 2,000,000
Subtotal - Discretionary Grant Earmarks	\$9,836,000
TOTAL - Aviation Earmarks	\$40,945,375

Status of TEA 21 Reauthorization Effort
Future Action Slated for 109th Congress

As reported in October, Congress enacted the sixth extension of TEA 21 authority for the nation’s highways, transit, highway safety, and transportation research programs, giving themselves until May 31, 2005 to act on a multi-year reauthorization bill. Authorizing committee members and congressional leaders plan to take up the bill early in the 109th Congress when it convenes in January.

Since it will be a new Congress, the House and Senate will have to reintroduce their different versions of the TEA 21 reauthorization legislation and repeat the legislative process: mark up bills in the appropriate authorizing committees and vote them out of committee, acquire House and Senate floor approval, and return to a new conference committee to resolve the two bills into a final proposal for another House and Senate vote before sending the bill to the President for enactment. With new members, authorizing committee changes (**Texas Senator John Cornyn** has left the Senate Environment & Public Works Committee ; House Transportation & Infrastructure Committee assignments will be made in January), and a full legislative calendar, there is much for Congress to do to meet the May 31st deadline. TxDOT will be active in Washington and in Texas to ensure that Texas transportation policy issues remain a key part of congressional deliberations. Stay tuned.

The *Federal Flyer* is a publication of the TxDOT Legislative Affairs Office. It is intended to provide up-to-date information on major legislative activities in the 108th Congress for the management of the Texas Department of Transportation, state leaders, and others interested in Texas transportation issues. This report will also feature key activities in the national transportation community. Sources include news services and staff reports.

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