

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Dorothy Robyn to Remote address at 12:14:21.93. Subject: Got Your card. [partial] (1 page)	12/23/1996	b(6)
002. email	ANN_Tutwiler to Robyn_D at 11:35:00.00. Subject: Re: Got your card. [partial] (1 page)	12/30/1996	b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
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FOLDER TITLE:

[01/05/1996 - 02/17/1997]

2015-0463-F
ab1504

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Michael D. Deich (DEICH_M) (OPD)

CREATION DATE/TIME: 5-JAN-1996 09:49:41.56

SUBJECT: hwyu funding

TO: Robert E. Litan (LITAN_R) (OMB)

READ: 5-JAN-1996 10:42:24.75

TO: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)

READ: 5-JAN-1996 11:09:43.15

TO: David E. Tornquist (TORNQUIST_D) (OMB)

READ: 5-JAN-1996 10:07:48.51

TEXT:

Bob:

It seems to me that the political defensibility of cutting highways will depend in part on the answers to:

1) how does the administration's budget compare with the republican's 7-yr balanced budget proposal? does the available info provide any sense of how our proposed cuts compare with the cuts (if any) that the republicans will be forced to make in order to meet their budget commitments?

2) how far will our budget be from full funding of istea? of istea's "core programs"?

Can your budget wizards divine some answers?

Michael

RECORD TYPE: PRESIDENTIAL (ALL-IN-I MAIL)

CREATOR: Michael D. Deich (DEICH_M) (OPD)

CREATION DATE/TIME:29-JAN-1996 18:18:30.11

SUBJECT: 4 o'clock meeting on DOT's '97 budget

TO: Robert E. Litan (LITAN_R) (OMB)

READ:30-JAN-1996 09:46:31.88

CC: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)

READ:29-JAN-1996 18:21:07.57

CC: David E. Tornquist (TORNQUIST_D) (OMB)

READ:29-JAN-1996 18:19:31.27

CC: Sharon A. Barkeloo (BARKELOO_S) (OMB)

READ:29-JAN-1996 18:23:02.88

CC: Daniel J. Corbett (CORBETT_D) (OMB)

READ:29-JAN-1996 18:45:23.13

TEXT:

ATTENDANCE: dot's steve palmer, the people on the cc:, me, hank ditmar of the surface transportation policy project, and kevin mccarty of the us conference of mayors.

BOTTOM LINE AT THE TOP: ditmar and mcarty argue that, no matter what the magnitude of our cuts, transit and urban interests would be best served by proportional cuts across the board, with no special treatment for transit (one significant exception: it might be ok to zero out demos and then cut the remaining ISTEA programs across-the-board by whatever percent was needed to achieve the desired savings). they reason that both transit and metropolitan interests will lose big in congress unless all interests accept the philosophically coherent story of "shared sacrifice," with policy choices delayed until the '97 reauthorization of istea. when asked if it would be helpful to them tactically if the administration proposed bigger cuts in hwys than in transit (so that they could then go to congress and offer as an alternative to the administration's proposal the more "reasonable" approach of shared sacrifice), they said no. they both believe that they are best served by having the administration proselytize the virtues of "shared sacrifice" right from the beginning of the budget process.

ANALYSIS: i'll let your gang speak for themselves, but i think, and steve palmer agrees (unofficially until he vets this with pena et al), that the ditmar-mcarty approach (1) would make no enemies; (2) might reduce marginally the outyear balloon in the hwy tf balance; (3) would offer the advantage of letting us tell the truth vis-a-vis the balances -- "we recognize the problems that will arise in the future if policy is unchanged, therefore we support "shared sacrifice" in '97 while we conduct outreach with various parties and work on building a consensus for the '97 reauthorization that will solve this and all other surface transportation problems...."

REQUEST FOR HELP: can your crew figure out quickly (i.e., in time that changes to the passback can still be considered) what the passback would look like if we

zero demos and then achieve the ISTEA savings that are in the current passback through proportionate changes in all remaining ISTEA programs? from that base we could make whatever adjustments seemed prudent. thanks.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Paul R. Dimond (DIMOND_P) (OPD)

CREATION DATE/TIME: 5-MAR-1996 13:48:56.19

SUBJECT: RE: Cleveland Study

TO: Ellen S. Seidman (SEIDMAN_E) (OPD)

READ: 5-MAR-1996 14:57:00.98

TEXT:

Ellen,

1. If we have a scoring amount, maybe there's a way to structure so that the downsizing (or buying a bigger, cheaper, older home) is a one-time type expnses like the one-time home sale exemption for those 55 and older. That might reduce the costs and get us to the same politically popular point to implement a narrower policy objective with a lwoer increase in costs. Thougghts?

2. Second Term -- change the dynamic on iSTEA/Highways/Envrionmental Infrastructure. You're right no need to discuss now. Sometime, you and I can go out to dinner and dream a little on what might make sense and be feasible. It's your fault anyhow: you keep going to these conferences and saying "look at this." So, naturally, I do.

Paul

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Paul R. Dimond (DIMOND_P) (OPD)

CREATION DATE/TIME: 5-MAR-1996 11:14:46.66

SUBJECT: Cleveland Study

TO: Ellen S. Seidman (SEIDMAN_E) (OPD)

READ: 5-MAR-1996 13:16:24.31

TEXT:

Ellen,

A couple of thoughts:

1. What's the tax cost of permitting the purchase of lower priced home and not having to pay the capital gain on the difference in cost. Wholly apart from whatever impact this may have on the issues raised in the report, it would be very popular. Can you check with Mazur to see if Treasury has scored this?
2. Let's sit down and chat about the larger issue raised. As you know, I believe that folks vote with their feet on where to live, work, shop and invest, and that, in general, this increases efficiency. Maybe, the political responsiveness to these desires has skewed the federal subsidies in the wrong direction -- I certainly fear that's true on infrastructure/environment (including in ISTEA, highways, sewers, water treatment) -- i.e., subsidy for new, not as great a subsidy for repair, upgrading of old. Of course, one response to this is to lower the subsidy for the new (which might make sense in a balanced budget context) or to permit less of a subsidy and require more economic development match from cities, locals, tolls, user fees, etc. In any event, I'm more than willing to explore. Let's set up a time to meet - you, me, Deich, Litan or whoever you think is right.

Paul

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Ellen S. Seidman (SEIDMAN_E) (OPD)

CREATION DATE/TIME: 5-MAR-1996 09:12:00.01

SUBJECT: PENA SAYS DOT TO FIGHT PROPOSALS TO ABOLISH HIGHWAY, TRANSIT

TO: Michael D. Deich (DEICH_M) (OPD)

READ: 5-MAR-1996 10:26:26.69

TEXT:

PENA SAYS DOT TO FIGHT PROPOSALS TO ABOLISH HIGHWAY, TRANSIT PROGRAMS

Transportation Secretary Federico Pena told local officials March 4 that the Clinton administration will actively oppose proposals to upend the federal highway and transit programs and turn them over to the states.

In an address that reflected the administration's current thinking on the upcoming program reauthorizations, Pena said the Transportation Department will work to retain the Intermodal Surface Transportation Efficiency Act of 1991 as the framework for federal transportation investments and build upon its flexibility provisions.

Reiterating plans to hold hearings this year on the reauthorization, Pena told county officials that the department wants to keep a role for them in transportation priority setting. "We want to know how ISTEA can be improved," Pena said. "How it can be made more flexible."

"Good government is about good decisions making," Pena said at a meeting of the National Association of Counties. "And good decisions are made by those closest to the situation, by locally elected officials like you who are on the front lines."

"And that's the way President Clinton and I want to keep it," Pena added. "And that's how we'll fight to keep it when we renew the federal highway bill."

DOT officials said that although the six-year act will not expire until next year, they are planning for outreach sessions to be held around the country beginning this spring. Meanwhile, an aide to the House Transportation and Infrastructure Committee said that the Surface Transportation Subcommittee intends to begin its ISTEA hearings after the April recess.

Local Officials Back ISTEA Model

Pena's remarks are consistent with those he made earlier in the year at a U.S. Conference of Mayors meeting, where the transportation secretary said DOT was concerned about proposals to "turn back" the federal highway and transit programs to the states (18 DER A-24, 1/29/96</ref>).

Among others, Ohio Gov. George Voinovich (R) recently unveiled a plan to abolish the Federal Highway Administration and turn the highway program over to the states (41 DTR G-3, 3/1/96</ref>). Such proposals would give authority to state transportation departments and eliminate local governments' current role in selecting transportation projects for funding.

Although Pena did not specifically address the turnback proposals at the NACo meeting, he argued for maintaining both a strong federal role in transportation and the existing partnership with state and local governments in developing facilities.

"When it came time to help our friends . . . in Pennsylvania and Washington state in recovering from last month's devastating floods, did you

want weak help?" Pena asked. "Do you think a weak government can rebuild roads quickly, and help people get their lives back to normalcy?"

For their part, county officials are backing the ISTEA model as Congress prepares to reauthorize highway and transit programs in 1997. Reauthorization of ISTEA, NACo said, is one of the organizations's top six legislative priorities.

According to NACo, ISTEA has allowed substantial funding to flow to counties through the metropolitan planning process. Local governments, it said, have been able to make more choices in how they spend the funding.

Transportation Linked With Economic Growth

In arguing for a continued federal role, Pena several times linked transportation with the nation's economic growth.

"Efficient, cost-effective transportation is the backbone of any prosperous nation," Pena said. "It's a hallmark of this great nation. And the president wants to keep it that way."

Among other things, Pena said the recently designated National Highway System will be an important element of economic growth in the future. The roughly 160,000-mile system of strategic roads is important, Pena said, to 99 percent of American workers who live in the counties served by the NHS and who will use the network. "It matters to 93 percent of farm workers who will drive those roads," Pena said. "And it matters to everyone in this room who cares about economic development."

"Ask a private executive what's important when it comes to selecting a community for doing business," Pena said. "Good transportation is always at the top of the list."

Pena said investment in transit is also important for both cities and urban areas.

However, Pena said little about what the president's upcoming budget submission will propose for the federal highway and transit programs in FY 1997. The detailed budget request is expected on Capitol Hill March 18. Recent word suggests that transportation will be cut in the budget, although perhaps not as deeply as earlier reported. The highway and transit programs are among those expected to be slated for reductions in the budget. In his remarks, Pena indicated that in lieu of greater public spending on transportation, the department will once again propose steps to attract private investment.

Among other things, Pena said innovative financing schemes can attract private money for projects. DOT approved a move by a private developer to contribute part of a state's matching funds in order for work to begin on an interchange linking an interstate highway to an airport.

Pena also spoke favorably about increased tolls on highways. In another example, he praised South Carolina officials for going ahead with plans to construct a 30-mile toll road to give greater access to Myrtle Beach.

--By Nancy Ognanovich

Employment

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Daniel J. Corbett (CORBETT_D) (OMB)

CREATION DATE/TIME: 4-APR-1996 20:20:50.29

SUBJECT: ISTEa reauthorization

TO: Michael D. Deich (DEICH_M) (OPD)

READ:10-APR-1996 07:57:40.39

TEXT:

Attached is a note to staff in the Transportation branch regarding some meetings with outside interest groups on the ISTEa reauthorization.

If it would be convenient or helpful, I could include you in future notes and you could attend whatever briefings you think would be interesting.

I plan on scheduling a series of these with interest groups to hear some of the concerns first hand.

Dan

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 1-APR-1996 10:03:00.00

ATT BODYPART TYPE:B

ATT CREATOR: Daniel J. Corbett

ATT SUBJECT: ISTEa meeting

ATT TO: Daniel M. Tangherlini (TANGHERLIN_D)

ATT TO: Diane R. Montgomery (MONTGOMERY_D)

ATT TO: Jon Ball (PAPER MAIL)

ATT TO: David E. Tornquist (TORNQUIST_D)

ATT TO: Kenneth L. Schwartz (SCHWARTZ_K)

ATT TO: Sharon A. Barkeloo (BARKELOO_S)

ATT CC: Patricia S. Haney (HANEY_P)

ATT CC: Rebecca A. Wayne (WAYNE_R)

TEXT:

I have scheduled a meeting with Hank Dittmar, Executive Director of the Surface Transportation Policy Project to discuss STPP's ideas and concerns for the ISTEa reauthorization.

The meeting is scheduled for Wednesday, May 1st at 10:00 in Room

9116.

Future Briefings/Meetings

If you have significant leave, travel or vacation plans, please let me know and I will try to work around those plans when setting up future briefings with outside interest groups and associations.

===== END ATTACHMENT I =====

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Daniel J. Corbett (CORBETT_D) (OMB)

CREATION DATE/TIME:29-APR-1996 13:05:59.90

SUBJECT: Another ISTEa meeting

TO: Michael D. Deich (DEICH_M) (OPD)

READ:29-APR-1996 14:17:36.61

TEXT:

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE:29-APR-1996 12:26:00.00

ATT BODYPART TYPE:B

ATT CREATOR: Daniel J. Corbett

ATT SUBJECT: Event -> 01-May-1996 03:00pm CORBETT_D

ATT TO: Diane R. Montgomery (MONTGOMERY_D)

ATT TO: Daniel M. Tangherlini (TANGHERLIN_D)

ATT TO: Jon Ball (PAPER MAIL)

ATT TO: Patricia S. Haney (HANEY_P)

ATT TO: Rebecca A. Wayne (WAYNE_R)

ATT TO: David E. Tornquist (TORNQUIST_D)

TEXT:

You are invited to the following meeting:

Scheduled by : CORBETT_D

Purpose : Meeting with STEP 21, Dennis Faulkenberg

On : 01-May-1996

From : 03:00pm To : 04:30pm

At : Room 9116 NEOB

I have set up a meeting with Dennis Faulkenberg, Deputy Commissioner of the Indiana DOT. Dennis is one of the spokespersons for STEP21, an organization of States which is advocating its own reauthorization concept. He will be in town later this week and had some time late on Wednesday.

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Daniel J. Corbett (CORBETT_D) (OMB)

CREATION DATE/TIME:29-APR-1996 13:05:31.12

SUBJECT: FYI - ISTEА reauth meeting

TO: Michael D. Deich (DEICH_M) (OPD)

READ:29-APR-1996 14:11:08.25

TEXT:

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 1-APR-1996 10:03:00.00

ATT BODYPART TYPE:B

ATT CREATOR: Daniel J. Corbett

ATT SUBJECT: ISTEА meeting

ATT TO: Daniel M. Tangherlini (TANGHERLIN_D)

ATT TO: Diane R. Montgomery (MONTGOMERY_D)

ATT TO: Jon Ball (PAPER MAIL)

ATT TO: David E. Tornquist (TORNQUIST_D)

ATT TO: Kenneth L. Schwartz (SCHWARTZ_K)

ATT TO: Sharon A. Barkeloo (BARKELOO_S)

ATT CC: Patricia S. Haney (HANEY_P)

ATT CC: Rebecca A. Wayne (WAYNE_R)

TEXT:

I have scheduled a meeting with Hank Dittmar, Executive Director of the Surface Transportation Policy Project to discuss STPP's ideas and concerns for the ISTEА reauthorization.

The meeting is scheduled for Wednesday, May 1st at 10:00 in Room 9116.

Future Briefings/Meetings

If you have significant leave, travel or vacation plans, please let me know and I will try to work around those plans when setting up future briefings with outside interest groups and associations.

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Daniel J. Corbett (CORBETT_D) (OMB)

CREATION DATE/TIME:29-APR-1996 13:07:11.65

SUBJECT: Meeting with APTA

TO: Michael D. Deich (DEICH_M) (OPD)

READ:29-APR-1996 14:17:49.06

TEXT:

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE:22-APR-1996 11:35:00.00

ATT BODYPART TYPE:B

ATT CREATOR: Daniel J. Corbett

ATT SUBJECT: Event -> 14-May-1996 10:00am CORBETT_D

ATT TO: Diane R. Montgomery (MONTGOMERY_D)

ATT TO: Daniel M. Tangherlini (TANGHERLIN_D)

ATT TO: Jon Ball (PAPER MAIL)

ATT TO: Patricia S. Haney (HANEY_P)

ATT TO: David E. Tornquist (TORNQUIST_D)

ATT TO: Rebecca A. Wayne (WAYNE_R)

TEXT:

You are invited to the following meeting:

Scheduled by : CORBETT_D

Purpose : Meeting with APTA on ISTEA Reauthorization

On : 14-May-1996

From : 10:00am To : 11:30am

At : Room 9116

We have scheduled a meeting with APTA to discuss their views on the ISTEA reauthorization.

Please let me know if this time and date is a problem. APTA is confirming the time and date with their attendees.

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Daniel J. Corbett (CORBETT_D) (OMB)

CREATION DATE/TIME:10-MAY-1996 16:21:28.96

SUBJECT: ISTE A reauthorization meeting

TO: Mark J. Mazur (MAZUR_M) (WHO)

READ:10-MAY-1996 16:25:51.47

TO: Michael D. Deich (DEICH_M) (OPD)

READ:13-MAY-1996 08:08:33.47

TEXT:

Feel free to attend if you are interested.

Dan

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE:22-APR-1996 11:35:00.00

ATT BODYPART TYPE:B

ATT CREATOR: Daniel J. Corbett

ATT SUBJECT: Event -> 14-May-1996 10:00am CORBETT_D

ATT TO: Diane R. Montgomery (MONTGOMERY_D)

ATT TO: Daniel M. Tangherlini (TANGHERLIN_D)

ATT TO: Jon Ball (PAPER MAIL)

ATT TO: Patricia S. Haney (HANEY_P)

ATT TO: David E. Tornquist (TORNQUIST_D)

ATT TO: Rebecca A. Wayne (WAYNE_R)

TEXT:

You are invited to the following meeting:

Scheduled by : CORBETT_D

Purpose : Meeting with APTA on ISTE A Reauthorization

On : 14-May-1996

From : 10:00am To : 11:30am

At : Room 9116

We have scheduled a meeting with APTA to discuss their views on the ISTE A reauthorization.

Please let me know if this time and date is a problem. APTA is confirming the time and date with their attendees.

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Daniel J. Corbett (CORBETT_D) (OMB)

CREATION DATE/TIME:10-MAY-1996 16:25:20.96

SUBJECT: Another ISTEa meeting

TO: Michael D. Deich (DEICH_M) (OPD)

READ:13-MAY-1996 08:08:47.77

TO: Mark J. Mazur (MAZUR_M) (WHO)

READ:10-MAY-1996 16:26:22.48

TEXT:

Another ISTEa reauthorization meeting. AASHTO is the American Association of State Highway and Transportation Officials. AASHTO represents State DOTs and State Highway Departments.
Dan

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 3-MAY-1996 21:38:00.00

ATT BODYPART TYPE:B

ATT CREATOR: Daniel J. Corbett

ATT SUBJECT: Event -> 15-May-1996 09:30am CORBETT_D

ATT TO: Diane R. Montgomery (MONTGOMERY_D)

ATT TO: Daniel M. Tangherlini (TANGHERLIN_D)

ATT TO: Jon Ball (PAPER MAIL)

ATT TO: David E. Tornquist (TORNQUIST_D)

ATT TO: Patricia S. Haney (HANEY_P)

ATT TO: Rebecca A. Wayne (WAYNE_R)

TEXT:

You are invited to the following meeting:

Scheduled by : CORBETT_D

Purpose : Meeting with AASHTO

On : 15-May-1996

From : 09:30am To : 11:00am

At : Room 9116

You already probably have this meeting on your calendar. It has been moved to start at 9:30 instead of 10:00. Let me know if this poses a problem.

Dan

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Michael D. Deich (DEICH_M) (OPD)

CREATION DATE/TIME:29-JUL-1996 09:18:11.34

SUBJECT: istea mtg

TO: Diane Regas (REGAS_D) (OPD)

READ:29-JUL-1996 11:34:14.94

TEXT:

can you fill me in sometime on what i missed?

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: David Worzala (WORZALA_D) (OMB)

CREATION DATE/TIME:13-AUG-1996 20:02:46.29

SUBJECT: FHWA Q's and A's

TO: Michael D. Deich (DEICH_M) (OPD)

READ:14-AUG-1996 08:24:17.17

CC: David Worzala (WORZALA_D) (OMB)

READ:13-AUG-1996 20:02:52.20

CC: David E. Tornquist (TORNQUIST_D) (OMB)

READ:14-AUG-1996 09:20:30.64

CC: Diane R. Montgomery (MONTGOMERY_D) (OMB)

READ:14-AUG-1996 09:21:09.97

TEXT:

Below are the Q's and A's you requested. As I mentioned on my voice mail, they have been cleared through Ken S. We cribbed the vast majority of the information from materials already cleared by the Administration. However, if you want me to send it around, let me know in the A.M. Sorry about the delay. CHEERS
DW

Currently the Highway Trust Fund is being used to mask the true size of the federal deficit. Would you support removing the Trust Fund from the unified budget and dedicating it to the construction and maintenance of highway infrastructure?

The Administration opposes removing the Highway Trust Fund from the Unified Budget. The General Accounting Office, the Federal Reserve Board, and the leadership of the House Budget, Appropriations, and Ways and Means Committees share this view. For example, Chairman Greenspan, chairman of the Federal Reserve Board, has indicated that "moving some spending categories off

-budget would lead to fragmentation of the budgeting process and would detract from the unified budget as an indicator of the government's fiscal operations and hence the impact of the U.S. budget on credit markets and the economy."

The most important information provided by the unified budget is (1) how much of the nation's resources are used by the government, and (2) how these resources are allocated among the many activities of Government. By combining all receipts and spending in one budget, the implicit tradeoffs between public and private spending, and among Government programs, are made visible. By clearly presenting these tradeoffs, conflicts over competing demands for the Nation's resources can be resolved. Moving funds off

-budget simply because they are funded by earmarked receipts increases the likelihood that resource tradeoffs will be ignored and total spending will increase. The Administration does not concur with the statement that the Highway Trust Fund is being used to mask the true size of the Federal deficit. According to the General Accounting Office, "The deficit is an annual measure of what the Government takes in and what it spends. A trust fund surplus only masks the deficit when the trust fund takes in more revenue (exclusive of interest earned) than it spends in any 1 year." In fact, over the past fifteen years, the Government has spent almost \$15 billion more for highway trust fund programs than it has collected in highway taxes.

3. The Interstate System and the National Highway System have created a nationwide network of roadways second to none. Would your Administration support efforts to eliminate a portion of the federal motor fuels tax and turn the highway program over to the states, especially in light of the fact that this would force the states to raise their own motor fuel taxes by equivalent or additional amounts?

This Administration firmly believes that the Federal government has played a vital role in maintaining the transportation system that we currently enjoy. Federal involvement has resulted in

national benefits, such as increased economic productivity and improved national security.

The creation of the Interstate System and the National Highway System was possible because of the productive partnership that exists among the Federal and State governments. A key component of that partnership has been the financing mechanism by which we construct and maintain a national network of roads. Any proposed changes to the current financing mechanism, or other aspects of the Federal

-State partnership, will be addressed as part of the upcoming reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA). The Administration's ISTEA reauthorization proposal will be submitted to Congress early in the next session of the Congress. The Department of Transportation is currently conducting an extensive outreach effort with the transportation community to identify where the Federal

-State partnership needs to be modified to ensure that the nation continues to reap the benefits of a first

-rate transportation system.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Jonathan C. Ball@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME: 4-OCT-1996 18:06:00.00

SUBJECT: ISTE A Briefings with DoT

TO: DEICH_M (DEICH_M@A1@CD) (OPD)

READ: 7-OCT-1996 08:08:08.46

TEXT:

Message Creation Date was at 4-OCT-1996 18:04:00

This is the meeting schedule we worked with DoT. Does it jibe with what you and Jano discussed? Which of these are you (others in WH) interested in?

----- Forwarded by Jonathan C. Ball/OMB/EOP on 10/04/96 05:59 PM -----

Jonathan C. Ball
10/03/96 04:00:49 PM
Record Type: Record

To: David E. Tornquist/OMB/EOP, David J. Worzala/OMB/EOP, Daniel M. Tangherlini/OMB/EOP, Diane R. Montgomery/OMB/EOP

cc:

Subject: ISTE A Briefings with DoT

As we have hearings and training, Highways will be at the AASHTO Conference, and FTA will be at the APTA conference, we will have to start our meetings a week from Wednesday. Here is the schedule as it stands:

Date:	Time:	Topic:
Oct. 16	2:00 pm	Planning
Oct. 17	2:00 pm	Innovative Finance
Oct. 22	2:00 pm	Environment
Oct. 24	2:00 pm	R&D
Oct. 29	2:00 pm	Cost Allocation
Oct. 31	2:00 pm	Safety
Nov. 5	2:00 pm	FTA Programs
Nov. 7	2:00 pm	Intergovernmental Programs

We have agreed to revisit scheduling of the "relative program size" and "strategy" discussions once we are into the meetings listed above. We compromised on a one and one-half our meeting length.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Jonathan C. Ball@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME: 9-OCT-1996 11:41:00.00

SUBJECT: Congratulations!

TO: DEICH_M (DEICH_M@A1@CD) (OPD)

READ: 9-OCT-1996 11:44:53.12

TEXT:

Message Creation Date was at 9-OCT-1996 11:36:00

I mean, I knew you wanted to be involved in ISTEA reauthorization and all, but I had no idea how far you would go! Congrats!

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Michael D. Deich (DEICH_M) (OPD)

CREATION DATE/TIME:15-OCT-1996 08:41:02.78

SUBJECT: fy96 transp proposals

TO: Pauline M. Abernathy (ABERNATHY_P) (OPD)

READ:15-OCT-1996 10:17:13.36

TEXT:

short answer: no. responding to the congress' insistence that programmatic reform wait until the scheduled reauthorization of istea during cy97, the president's fy97 budget proposal reflected current law and included only minor reform proposals (e.g., v. modest expansion of the president's state infrastructure bank proposal adopted by congress as a demonstration program in cy96). the administration's ISTEA reauthorization proposal -- which will incorporate lessons learned during and since the debate regarding the fy96 proposals -- is now being developed and will be submitted to congress in the first half of 1997.

long answer:

congress rejected the bulk of our proposal, principally because most states/localities/interest groups argued that ISTEA represented a significant step forward over prior law and "should be given a chance to work;" reform should wait until ISTEA needed to be reauthorized at the end of fy97. congress did adopt our proposal to create state infrastructure banks (as a demonstration project -- the fy97 approps bill expanded this provision to allow all 50 states the option of creating a sib). the president's fy97 budget respected the congress' clear desire to defer restructuring until the surface transportation bill needed reauthorization in cy97. during the past year, dot has conducted a wide-ranging outreach program to learn the views of program participants on what about ISTEA has worked and what hasn't. the administration is now considering how to incorporate the results of that outreach into a reauthorization proposal that will be submitted to congress in the first half of next year (probably w/the budget). without prejudging what the administration may propose, dot has already announced a few principles that will inform the development of the administration's proposal. many of these principles lay behind the administration's earlier efforts at consolidation:

- 0 greater flexibility -- for states/localities in how they can use federal funds to achieve the goals of the federal program

- 0 intermodalism -- the program should address "transportation" needs, not a series of separate highway and transit needs.

- 0 etc.

call if you need more/different stuff.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Daniel M. Tangherlini@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:17-OCT-1996 19:35:00.00

SUBJECT: FYI RE: ISTE A

TO: DEICH_M (DEICH_M@A1@CD) (OPD)

READ:18-OCT-1996 08:55:20.99

TEXT:

Message Creation Date was at 17-OCT-1996 18:58:00

----- Forwarded by Daniel M. Tangherlini/OMB/EOP on 10/17/96
06:53 PM -----

Jonathan C. Ball
10/17/96 06:28:06 PM
Record Type: Record

To: David E. Tornquist/OMB/EOP, David J. Worzala/OMB/EOP, Daniel M.
Tangherlini/OMB/EOP, Diane R. Montgomery/OMB/EOP
cc:
Subject: (sort-of) Final Agenda for ISTE A Mtgs

Date:	Time:	Location:	Topic:
Oct. 16	2:00 pm	10222 DoT	Planning
Oct. 17	2:00 pm	9116 NEOB	Innovative Finance
Oct. 22	2:00 pm	9116 NEOB	Environment
Oct. 24	2:00 pm	10222 DoT	R&D
Oct. 29	2:00 pm	10222DoT	Cost Allocation
Oct. 31	2:00 pm	9116 NEOB	Safety
Nov. 5	2:00 pm	10222 DoT	FTA Programs
Nov. 7	2:00 pm	9116 NEOB	Intergov. Programs

As Shelton mentioned, we will add others as DoT becomes prepared.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME: 7-NOV-1996 10:54:56.30

SUBJECT: ISTE A

TO: Carol H. Rasco (RASCO_C) (WHO)

READ: 7-NOV-1996 16:18:48.35

CC: Jill Pizzuto (PIZZUTO_J) (OPD)

READ: 7-NOV-1996 11:04:13.10

TEXT:

You asked me to pull together a meeting on ISTE A sometime after the election. Over the last couple of months I have been talking to Michael Deich (formerly of NEC, now at OMB) about how we get to an administration position on the issues in ISTE A.

When I got to the office yesterday, Michael let me know that he has a sit-down with Mort Downey on this today at 3:30. I am planning on going. Is this a meeting that you would like to attend? I normally would not expect that you would, but because you expressed an interest in this, I wanted to let you know.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: David J. Worzala@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:26-NOV-1996 09:57:00.00

SUBJECT: Reminder - ISTE A Briefing today

TO: MAZUR_M (MAZUR_M@A1@CD) (WHO)
READ:26-NOV-1996 12:36:58.11

TO: REGAS_D (REGAS_D@A1@CD) (OPD)
READ:26-NOV-1996 15:28:17.79

TO: ROBYN_D (ROBYN_D@A1@CD) (OPD)
READ:26-NOV-1996 14:28:22.87

TO: Barbara Chow (Barbara Chow@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Ananias Blocker III (Ananias Blocker III@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Linda L. Lance (Linda L. Lance@OVP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Henry C. Kelly (Henry C. Kelly@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: David E. Tornquist (David E. Tornquist@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Jonathan C. Ball (Jonathan C. Ball@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TEXT:
Message Creation Date was at 26-NOV-1996 09:53:00

This is a reminder that DOT will be presenting an overview of their ISTE A proposal at 2:00 pm today in rm 9104 NEOB. The meeting is scheduled from 2 - 4 pm.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME: 5-DEC-1996 14:14:12.29

SUBJECT: RE: American Road & Trans. Builders Assn.

TO: Dorothy Robyn (ROBYN_D) (OPD)

READ: 5-DEC-1996 18:54:50.09

TEXT:

I'll plan to join you on the 17th.

I am in the process of pulling together a meeting next week with several enviro groups who want to come in and talk about ISTEA. I do not have a final time, but I would like to schedule this so you can join me if you like. I will leave to them who to bring, but is there anyone that you would like me to suggest? Any days that are bad for you?

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Kristen E. Panerali (PANERALI_K) (WHO)

CREATION DATE/TIME: 5-DEC-1996 10:34:58.17

SUBJECT: DOT- ISTE A

TO: Michael Deich (DEICH_M) Autoforward to: Remote Addressee (Michael
Deich@eop@lngtwy@eopmrx) (OMB)
READ:NOT READ

TO: Dorothy Robyn (ROBYN_D) (OPD)
READ: 5-DEC-1996 10:35:34.76

CC: Patricia E. Romani (ROMANI_P) (OMB)
READ: 5-DEC-1996 11:26:49.52

CC: Gay L. Joshlyn (JOSHLYN_G) (OPD)
READ: 5-DEC-1996 10:36:48.70

TEXT:

Dan will be briefed on ISTE A by DOT folks, on Monday at 2 pm in 231. Attendees include: Mort Downey, Frank Kruesi and John Lieber. Please come if you can. Deich, if you can't make it send someone in your place please.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Dorothy Robyn (ROBYN_D) (OPD)

CREATION DATE/TIME: 5-DEC-1996 10:58:21.57

SUBJECT: American Road & Trans. Builders Assn.

TO: Michael Deich (DEICH_M) Autoforward to: Remote Addressee (Michael
Deich@eop@lngtwy@eopmr) (OMB)
READ:NOT READ

TO: David Worzala (WORZALA_D) Autoforward to: Remote Addressee (David J.
Worzala@eop@lngtwy@eopmr) (OMB)
READ:NOT READ

TO: Diane Regas (REGAS_D) (OPD)
READ: 5-DEC-1996 11:33:09.10

TEXT:

I've scheduled a mtg. w/ the senior officials of this group to
talk about ISTE (Bill Buechner, their director of economics, was
a colleague at Joint Econ. Comm.). It's set for Wed., Dec. 17, 10
am, in Rm. 231. Hope you can join me.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME: 6-DEC-1996 11:49:43.56

SUBJECT: Scheduling

TO: Patricia E. Romani (ROMANI_P) (OMB)

READ: 6-DEC-1996 14:53:07.13

TEXT:

I am scheduling a meeting with some folks on ISTEAs, and I would like to pick a time that Michael can make it if he chooses to. Does he have time on the afternoon of Dec. 16 or the morning of the 19th? (preferably the 19th)
If he does, I'll pick a time and invite him.
Thank you.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME: 6-DEC-1996 14:22:19.02

SUBJECT: Phone call request

TO: Kathleen A. McGinty (MCGINTY_KA1) (CEQ)

READ: 6-DEC-1996 19:53:05.87

TO: Linda L Lance (LANCE_L) (CEQ)

READ: 9-DEC-1996 14:50:58.83

TEXT:

Senator Baucus' staff is saying that the Sen. will quickly introduce a version of ISTEA that cuts out all the federal policy strings, and just gives the states money. The key federal policies that are in danger are the dedicated money for air quality compliance (funding a reputed unfunded mandate to the tune of 1 Billion per year), environmental criteria in the planning process, and climate-related efficiency gains. The ISTEA fight is going to be very tough for the environment and it would be a real loss for the southern and western states to veer off.

Katie, if you are talking to Sen. Baucus, or would call him, I think it would help for him to hear that the Administration cares deeply about the environmental provisions in ISTEA. There are also problems with his strategy from his own long-term interest in preventing this whole program from simply devolving to the states. (Montana gets more money than it gives.) I have not talked to Sen. Baucus' committee staff yet, I am planning on it next week.

FYI - Linda

RE ozone NAAQS: Chafee has a very bad letter circulating on the Hill regarding the ozone standards. He is also saying that he will have hearings in February. I have a copy if you are interested.

RE ISTEA: Greg Wetstone, Bill Roberts and Roy Kienitz are coming in about 10 days to talk about enviro ideas (and some welfare-to-work ideas) for ISTEA. i'll send you a separate note about time and place.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Dorothy Robyn (ROBYN_D) (OPD)

CREATION DATE/TIME: 9-DEC-1996 20:07:45.84

SUBJECT: RE: ISTE A Passback

TO: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TEXT:

thanks!

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Ellen S. Seidman (SEIDMAN_E) (OPD)

CREATION DATE/TIME:10-DEC-1996 08:27:08.99

SUBJECT: RE: Lunch

TO: Wendy J. Einhellig (EINHELLIG_W) (OPD)

READ:10-DEC-1996 08:34:50.08

TEXT:

Treasury's fine if it's OK with him; if he wants to go elsewhere, I'm game. The only thing is I have to be back at the OEOP by 2 for a meeting on ISTEA. (It's in room 213, from 2-3. Please put it on my calendar, as I do not have calendar access from home. Also, put on Jerry Hawke at Treasury at 11:00 Monday.)
thanks. ellen

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Diane R. Montgomery@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:10-DEC-1996 09:52:00.00

SUBJECT: RE: ISTE A Passback

TO: SEIDMAN_E (SEIDMAN_E@A1@CD) (OPD)

READ:10-DEC-1996 11:37:26.47

TEXT:

Message Creation Date was at 10-DEC-1996 09:45:00

I just sent the material to your home number.

DRM

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Ellen S. Seidman (SEIDMAN_E) (OPD)

CREATION DATE/TIME:10-DEC-1996 11:37:18.56

SUBJECT: RE: ISTE A Passback

TO: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TEXT:

I got it. Thanks.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Ellen S. Seidman (SEIDMAN_E) (OPD)

CREATION DATE/TIME:10-DEC-1996 08:30:02.85

SUBJECT: RE: ISTE A Passback

TO: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TEXT:

Diane, I can't read the document from my home machine (and I suspect I couldn't from the office either, as OMB text attachments seem not to be able to be read on our system.) Can you fax me a copy at (202) 342-0978. Thanks. Ellen

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 READ RECEIPT)

CREATOR: ROBYN_D (OPD)

CREATION DATE/TIME:10-DEC-1996 09:48:00.00

SUBJECT: Receipt Notification

TO: SEIDMAN_E (OPD)

READ:10-DEC-1996 11:37:21.20

TEXT:

This is a Read Receipt Notification for:

Message Title: Green groups meeting on ISTE A

Addressee: ROBYN_D

Date Sent: 10-Dec-1996 08:31am

Date Read: 10-Dec-1996 09:48am

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Diane R. Montgomery@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:10-DEC-1996 11:43:00.00

SUBJECT: RE: ISTE A Passback

TO: SEIDMAN_E (SEIDMAN_E@A1@CD) (OPD)

READ:10-DEC-1996 13:05:20.62

TEXT:

Message Creation Date was at 10-DEC-1996 11:37:00

You're welcome.

DRM

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Ellen S. Seidman (SEIDMAN_E) (OPD)

CREATION DATE/TIME:10-DEC-1996 08:10:42.04

SUBJECT: RE: Meeting with Green Groups on ISTEA

TO: Diane Regas (REGAS_D) (OPD)

READ:10-DEC-1996 09:24:31.68

TEXT:

Diane, can you put Dorothy Robyn of the NEC on your list for these kinds of meetings. She's basically taken over the DOT account from Michael, although I've still got a strong interest because of the economic development stuff, which I seem to have inherited from Paul. Also, Elgie is working on climate change, and it might be useful for him to be part of this. After all, ISTEA is the closest thing we have to funding for the surface transportation implications of what we might do on climate change. I've forwarded your message to both of them. I intend to come too. Thanks for the invite.

Ellen

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Patricia E. Romani@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:13-DEC-1996 16:06:00.00

SUBJECT: ISTEa meeting Monday

TO: REGAS_D (REGAS_D@A1@CD) (OPD)

READ:13-DEC-1996 16:21:56.89

TEXT:

Message Creation Date was at 13-DEC-1996 15:55:00

Michael will send staff to cover for him; he is unable to attend. (either David Tornquist or someone from Transportation branch).Pat

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Gay L. Joshlyn (JOSHLYN_G) (OPD)

CREATION DATE/TIME:19-DEC-1996 12:15:48.43

SUBJECT: ISTEА

TO: Dorothy Robyn (ROBYN_D) (OPD)

READ:19-DEC-1996 12:47:47.93

TEXT:

David is faxing you a couple of articles right now.

I'm going to head out now.

Gay

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Linda L Lance (LANCE_L) (CEQ)

CREATION DATE/TIME:19-DEC-1996 16:10:53.99

SUBJECT: meeting w/ epa on istea

TO: Diane Regas (REGAS_D) (OPD)

READ:19-DEC-1996 16:18:02.04

TO: Ellen S. Seidman (SEIDMAN_E) (OPD)

READ:19-DEC-1996 17:48:28.92

TEXT:

at epa's request, they're coming over here tomorrow (friday)_ at 10:30 to talk a
about the issues they'd like addressed in the istea bill that are not now
contemplated by dot. you are cordially invited to attend. ceq conference room,
10:30-11:30 friday 12/20. hope you can make it. linda.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Gay L. Joshlyn (JOSHLYN_G) (OPD)

CREATION DATE/TIME:19-DEC-1996 12:04:08.54

SUBJECT: ISTEА

TO: Dorothy Robyn (ROBYN_D) (OPD)

READ:19-DEC-1996 12:47:36.32

CC: Sonyia Matthews (MATTHEWS_S) (OPD)

READ:19-DEC-1996 12:07:00.20

TEXT:

I spoke with David Worzala about getting another article on ISTEА. He wanted to know if you were looking for a general article about the original ISTEА or an article about how it is going to be a big deal coming up. I told him that you were looking for an article about how it is a big deal coming up. He said he would work on it and get back to us.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Dorothy Robyn (ROBYN_D) (OPD)

CREATION DATE/TIME:19-DEC-1996 12:54:30.44

SUBJECT: Thanks

TO: David Worzala (WORZALA_D) Autoforward to: Remote Addressee (David J.
Worzala@eop@lngtwy@eopmr) (OMB)
READ:NOT READ

TEXT:
for your help on ISTE A briefing material. Sperling has asked for
it, but it will also be extremely useful to me.
Reserve 10 am on Fri., Jan. 3 for a meeting; I'll fax you the
details later today.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Dorothy Robyn (ROBYN_D) (OPD)

CREATION DATE/TIME:19-DEC-1996 12:47:35.08

SUBJECT: RE: ISTEA

TO: Gay L. Joshlyn (JOSHLYN_G) (OPD)

READ:26-DEC-1996 09:17:37.50

CC: Sonyia Matthews (MATTHEWS_S) (OPD)

READ:19-DEC-1996 12:48:23.20

TEXT:

Great! Thanks.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Dorothy Robyn (ROBYN_D) (OPD)

CREATION DATE/TIME:20-DEC-1996 16:36:22.17

SUBJECT: RE: Greetings

TO: Kevin Finneran (kfinnera@nas.edu@INET@EOPMRX)

READ:NOT READ

TEXT:

Has Stowsky changed his story, I hope?

I'm picking up the transportation portfolio, at least for the time being. It's a wonderful set of issues, INTELSAT restructuring, ISTEAA, FAA restructuring/privatization. I'm sorry to see Laura go, but Sperling is defending our technology investments even as I write.

Happy holidays!

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Dorothy Robyn to Remote address at 12:14:21.93. Subject: Got Your card. [partial] (1 page)	12/23/1996	b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
OPD ([NEXTEA or ISTE])
OA/Box Number: 250000

FOLDER TITLE:

[01/05/1996 - 02/17/1997]

2015-0463-F
ab1504

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Dorothy Robyn (ROBYN_D) (OPD)

CREATION DATE/TIME:23-DEC-1996 12:14:21.93

SUBJECT: Got your card

TO: Remote Addressee (ann_tutwiler/soya.soya@centralsoya.com@INET)
READ:NOT READ

TEXT:



[001]

Elgie Holstein is the NEC's energy wonk and he will be handling electricity dereg. I'm trying to take on the transportation portfolio (my colleague who handled that issue, Michael Deich, became an OMB PAD). So I'm deep in INTELSAT (satellite) restructuring and starting to get into ISTEAD. Keep in touch!

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	ANN_Tutwiler to Robyn_D at 11:35:00.00. Subject: Re: Got your card. [partial] (1 page)	12/30/1996	b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
OPD ([NEXTEA or ISTEAA])
OA/Box Number: 250000

FOLDER TITLE:

[01/05/1996 - 02/17/1997]

2015-0463-F
ab1504

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

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- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Ann_Tutwiler/SOYA.SOYA@CENTRALSOYA.COM@INET@EOPMRX

CREATION DATE/TIME:30-DEC-1996 11:35:00.00

SUBJECT: Re: Got your card

TO: ROBYN_D (ROBYN_D@A1@CD) (OPD)
READ:30-DEC-1996 15:22:42.69

TEXT:

(b)(6)

[002]

ROBYN_D @ a1.eop.gov
12/23/96 12:06 PM
To: ann tutwiler/soya
cc:
Subject: Got your card

(b)(6)

Elgie Holstein is the NEC's energy wonk and he will be handling electricity dereg. I'm trying to take on the transportation portfolio (my colleague who handled that issue, Michael Deich, became an OMB PAD). So I'm deep in INTELSAT (satellite) restructuring and starting to get into ISTEA. Keep in touch!

===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE:30-DEC-1996 11:35:00.00

ATT BODYPART TYPE:D

TEXT:

RFC-822-headers:

Return-path: Ann_Tutwiler/SOYA.SOYA@CENTRALSOYA.COM

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDf V5.0-4 #6879) id <01IDMBH7P3N4013FJH@PMDf.EOP.GOV> for ROBYN_D@a1.eop.gov; Mon, 30 Dec 1996 11:35:17 -0400 (EDT)

Received: from NOTES410-MAIL.CENTRALSOYA.COM (centralsoya.com)

by STORM.EOP.GOV (PMDf V5.0-7 #6879) id <01IDMBH40TSK001CGB@STORM.EOP.GOV> for ROBYN_D@a1.eop.gov; Mon, 30 Dec 1996 11:35:15 -0700 (MST)

Received: by NOTES410-MAIL.CENTRALSOYA.COM (IBM OS/2 SENDMAIL VERSION 1.3.2) /1.0) id AA0765; Mon, 30 Dec 1996 11:30:37 -0800

Received: from mail with "Lotus Notes Mail Gateway for SMTP" id
AE59FDE0FC0065EA85256410004D8412; Mon, 30 Dec 96 11:30:30

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Ellen S. Seidman (SEIDMAN_E) (OPD)

CREATION DATE/TIME: 8-JAN-1997 16:57:46.07

SUBJECT: RE: Meeting on ISTEА Funding Allocations - CORRECTION

TO: David E. Tornquist (David E. Tornquist@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TEXT:

David, I've been passing your notes on to Linda Lance, who's covering this issue for CEQ. You might want to send them directly, too. ellen

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: David E. Tornquist@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME: 8-JAN-1997 15:35:00.00

SUBJECT: Meeting on ISTE A Funding Allocations

TO: ROBYN_D (ROBYN_D@A1@CD) (OPD)
READ: 8-JAN-1997 15:36:29.39

TO: REGAS_D (REGAS_D@A1@CD) (OPD)
READ: 9-JAN-1997 11:47:10.92

TO: SEIDMAN_E (SEIDMAN_E@A1@CD) (OPD)
READ: 8-JAN-1997 16:17:50.87

TO: HOLSTEIN_E (HOLSTEIN_E@A1@CD) (OPD)
READ: 8-JAN-1997 19:37:10.94

TO: MAZUR_M (MAZUR_M@A1@CD) (WHO)
READ: 8-JAN-1997 15:42:59.44

TO: Henry C. Kelly (Henry C. Kelly@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Kenneth L. Schwartz (Kenneth L. Schwartz@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Jonathan C. Ball (Jonathan C. Ball@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: David J. Worzala (David J. Worzala@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TEXT:
Message Creation Date was at 8-JAN-1997 15:27:00

This e-mail follows up on my earlier phone messages to you. OMB would like to convene a meeting tomorrow, January 10th, at 11:00 in 9104 in the NEOB to discuss the allocation of ISTE A funds. The issue at hand is now that we have a bottom line total for highways etc, how should the pie be divided between CMAQ, NHS, research, ITS etc. Jack Basso will be attending from DOT. I apologize for the short notice, however, we need to finalize this allocation very quickly to meet the President' Budget production schedule. We will shortly send you a table showing DOT's proposed allocation.

Please call me on 53257 with questions or scheduling problems.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: ROBYN_D@A1@CD

CREATION DATE/TIME: 8-JAN-1997 15:46:00.00

SUBJECT: RE: Meeting on ISTEA Funding Allocations

TO: David E. Tornquist (David E. Tornquist@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: REGAS_D (REGAS_D@A1@CD) (OPD)
READ: 9-JAN-1997 11:47:30.63

CC: SEIDMAN_E (SEIDMAN_E@A1@CD) (OPD)
READ: 8-JAN-1997 16:18:37.55

CC: HOLSTEIN_E (HOLSTEIN_E@A1@CD) (OPD)
READ: 8-JAN-1997 19:37:17.92

CC: MAZUR_M (MAZUR_M@A1@CD) (WHO)
READ: 8-JAN-1997 16:05:24.66

CC: Henry C. Kelly (Henry C. Kelly@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Kenneth L. Schwartz (Kenneth L. Schwartz@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Jonathan C. Ball (Jonathan C. Ball@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: David J. Worzala (David J. Worzala@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TEXT:

11 am is fine (I assume you mean Jan. 9). Room 231. Do I need to
get out any paper?

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME: 9-JAN-1997 11:52:18.37

SUBJECT: RE: Meeting on ISTEAFunding Allocations - CORRECTION

TO: David E. Tornquist (David E. Tornquist@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TEXT:

Let me correct my previous message, I was not at the meeting today, because I assumed you meant Friday. Pls. call me to talk through what happened and where we are.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: David E. Tornquist@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME: 9-JAN-1997 19:53:00.00

SUBJECT: Revised ISTEА Allocations

TO: ROBYN_D (ROBYN_D@A1@CD) (OPD)
READ: 9-JAN-1997 19:57:04.51

TO: SEIDMAN_E (SEIDMAN_E@A1@CD) (OPD)
READ: 10-JAN-1997 08:45:36.23

TO: MAZUR_M (MAZUR_M@A1@CD) (WHO)
READ: 9-JAN-1997 20:06:51.22

TO: Michael Deich (Michael Deich@EOP@LNGTWY@EOPMRX)
READ: NOT READ

TO: Linda Lance (Linda Lance@EOP@LNGTWY@EOPMRX)
READ: NOT READ

TO: Ananias Blocker III (Ananias Blocker III@EOP@LNGTWY@EOPMRX)
READ: NOT READ

TO: Dainel C. Tate (Dainel C. Tate@EOP@LNGTWY@EOPMRX)
READ: NOT READ

CC: Kenneth L. Schwartz (Kenneth L. Schwartz@EOP@LNGTWY@EOPMRX)
READ: NOT READ

CC: Jonathan C. Ball (Jonathan C. Ball@EOP@LNGTWY@EOPMRX)
READ: NOT READ

CC: David J. Worzala (David J. Worzala@EOP@LNGTWY@EOPMRX)
READ: NOT READ

CC: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)
READ: NOT READ

TEXT:
Message Creation Date was at 9-JAN-1997 19:50:00

DOT is proposing the spread of ISTEА obligations listed below. Based on this morning's discussion, DOT has calculated the average obligations in each category for the life of ISTEА. The table compares this amount to the proposed 1998 allocation. Since funded is proposed to be level over the next 5 years, this amount is also the average. Using the average corrects for anomalies in the year-by-year spread of obligation.

ISTEА Avg 1998 Proposed % Inc

STP*	5,047	5,887	16.6%
NHS	3,167	3,607	13.8%
Interstate Maintenance	2,354	3,607	53.2%
CMAQ	753	1,046	38.9%
Bridge	2,033	2,155	6.0%

* Included in the STP numbers are the obligations for the interstate reimbursement program. By law, these funds are transferred to STP and spent in accordance with STP eligibility criteria.

Another way to look at is to compare the percent of spending for each program under ISTEA and proposed for 1998. This compensates for the fact that 1998 proposed spending is greater than the 6-year avg. ISTEA spending.

ISTEA 1998 Proposed

STP	31.6	35.0
NHS	19.8	21.1
CMAQ	4.7	6.1
Interstate Maintenance	14.7	21.1
Bridge	12.7	12.6

This allocation appears to address the concerns raised in this morning's meeting. Please provide me with any comments or concerns you may have as soon as possible. Thanks.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME: 9-JAN-1997 11:47:06.00

SUBJECT: RE: Meeting on ISTEА Funding Allocations

TO: David E. Tornquist (David E. Tornquist@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TEXT:

Despite my auto-reply, I am here and will try to make the ISTEА mtg.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: David E. Tornquist@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME: 9-JAN-1997 09:38:00.00

SUBJECT: ISTE A Funding Meeting

TO: ROBYN_D (ROBYN_D@A1@CD) (OPD)

READ: 9-JAN-1997 09:42:08.47

TO: SEIDMAN_E (SEIDMAN_E@A1@CD) (OPD)

READ: 9-JAN-1997 13:03:38.85

TO: MAZUR_M (MAZUR_M@A1@CD) (WHO)

READ: 9-JAN-1997 09:45:59.61

TO: HOLSTEIN_E (HOLSTEIN_E@A1@CD) (OPD)

READ: 9-JAN-1997 09:41:07.11

TO: REGAS_D (REGAS_D@A1@CD) (OPD)

READ: 9-JAN-1997 11:52:52.33

TO: Linda Lance (Linda Lance@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Ananias Blocker III (Ananias Blocker III@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Henry C. Kelly (Henry C. Kelly@EOP@LNGTWY@EOPMRX)

READ:NOT READ

CC: Kenneth L. Schwartz (Kenneth L. Schwartz@EOP@LNGTWY@EOPMRX)

READ:NOT READ

CC: David J. Worzala (David J. Worzala@EOP@LNGTWY@EOPMRX)

READ:NOT READ

CC: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)

READ:NOT READ

CC: Jonathan C. Ball (Jonathan C. Ball@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TEXT:

Message Creation Date was at 9-JAN-1997 09:30:00

The meeting to discuss the allocation of 1998 ISTE A funding is today at 11:00 in Room 231 in the OE OB (the NEC Conference Room). Attending from DOT will be Jack Basso, Deputy Asst. Secretary for Budget and Programs, Janno Lieber, Deputy Asst. Secretary for Policy, and Bev Pheto, Budget Officer. If I have overlooked any EXOP staff with an interest in ISTE A, please forward them this message.

You should each have received a faxed table showing DOT and OMB's proposed allocation of the FHWA obligation limitation. If not, please e-mail or call me (53257). This is meant as a starting point for discussions and does not represent final decisions on OMB's part. Keep in mind that this is a zero sum game, any proposals to increase funds in one area must be offset elsewhere.

I apologize for the rushed nature of this meeting. However, the POTUS made a decision on ISTEA late in the process and DOT was only able to translate this into its proposed suballocations on Tuesday. Nevertheless, the production schedule for the budget requires final decisions preferably today, but no later than early tomorrow.

Below are some issues to consider for the meeting.

Obligations vs. Contract Authority (CA). There are two relevant measures of budgetary resources for FHWA, obligations and contract authority. The ISTEA authorization provides CA to the various FHWA programs for the 6 year term of the bill. The appropriators limit the obligations that can occur under the CA in each year's appropriations bill through an obligation limitation.

Therefore, CA exceeds obligations. Generally, States are allocated CA by formula and receive an amount of obligation limitation in proportion to their share of CA. Within broad constraints, the States decide how to apply the obligation limitation against the CA for various programs in each year. That is, a State may choose to use its NHS CA this year but to direct more obligation limitation to STP next year. Finally, the so-called equity programs receive their own CA but the actual spending occurs primarily in the STP program. Therefore, for comparison purposes, they should be added together.

Obligations are more relevant to the annual budget discussion and more closely reflect actual spending. CA is more relevant to the reauthorization bill, which we hope to release shortly after the budget. Both the CA and the obligations are effectively estimates of how states will allocate their spending. The table faxed last night is obligations. A table similar to this will print in the 1998 Budget.

STP vs. NHS and Interstate Maintenance. There are valid arguments in favor of both programs. The NHS and IM programs focus on major roads important to interstate commerce. The DOT ISTEA proposal would include some new flexibility to transfer NHS and IM funds to other programs if certain criteria are met. The STP program is a flexible block grant that allows States flexibility to make transportation decisions among various alternatives, including transit or highway construction.

ITS. DOT proposes a new \$175M grant program to States to get them to deploy ITS technologies in an integrated fashion as well as a healthy increase in the ITS research program. The deployment program is in addition to making ITS eligible to be funded from other ISTEA funds the State receives such as STP.

RSPA Research This new program is intended to coordinate transportation research both within DOT and with other agencies and provide funds with which RSPA would entice other parts of DOT to improve and better coordinate their research. It is the functional equivalent to the Bureau of Transportation Statistics (BTS) created in ISTEA. BTS was funded at \$5M in its first year

and ramped up over the life of ISTEA.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME:15-JAN-1997 10:42:07.54

SUBJECT: Hot issues for mayors - Environment

TO: Stephen B. Silverman (Stephen B. Silverman@eop@LNGTWY@EOPMRX)

READ:NOT READ

TEXT:

I want to double check that your list of issues for the President's meeting with the mayors includes the reauthorization of ISTEA (transportation bill) and a status on brownfields. It is also likely that they will raise EPA's ozone and particulate matter air standards (perhaps making a pitch for requiring EPA to extend the time to comment.)

Let me know if you need talking points.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME:15-JAN-1997 10:53:17.71

SUBJECT: Drug testing for driver's licenses

TO: Dennis Burke (BURKE_D) (OPD)

READ:15-JAN-1997 10:58:56.05

TEXT:

I believe that the ISTEAL legislation now in circulation has the provision to require drug testing of young applicants for drivers' licences. Do you want to see it?

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Jennifer R. Atkin (ATKIN_J) (OPD)

CREATION DATE/TIME:24-JAN-1997 18:14:16.11

SUBJECT: Hearing Transcripts

TO: Dorothy Robyn (ROBYN_D) (OPD)

READ:24-JAN-1997 19:14:10.35

TEXT:

I spoke to the committee staff regarding the ISTEAs hearing transcripts. The transcripts are still being reviewed by members and witnesses and won't be published until the end of February. They expect the transcripts to be contained in 2-3 volumes (sounds like a tome to me). If you are interested (or would like me to research something in particular), the transcripts are available for reading/viewing now, but they cannot be copied. The contact on the committee staff is Gilda Shirley at 225-9960.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: James A. Brown@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:27-JAN-1997 10:35:00.00

SUBJECT: WH Legislative Affairs comments on LRM-JAB 6 (Third ISTEA insta

TO: David J. Worzala (David J. Worzala@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Jonathan C. Ball (Jonathan C. Ball@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: David E. Tornquist (David E. Tornquist@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: REGAS_D (REGAS_D@A1@CD) (OPD)
READ:27-JAN-1997 10:42:45.51

CC: Pamela S. Barr (Pamela S. Barr@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Ananias Blocker III (Ananias Blocker III@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Linda Lance (Linda Lance@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: James J. Jukes (James J. Jukes@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TEXT:
Message Creation Date was at 27-JAN-1997 10:33:00

Andy Blocker of White House Legislative Affairs called with two comments:

(1) Subsection (d) on page 3 of the legislative language ("States Without a Non-Attainment Area") should be revised to provide this funding flexibility without further preconditions to States which do not currently have non-attainment areas. (Currently, the language prescribes additional requirements for States which do not currently have non-attainment areas, but have had such areas in the past.). This involves striking the words "never has had" in the first sentence, and deleting the balance of the subsection following the first sentence. The current language is too restrictive.

(2) The section-by-section analysis of subsection (b), under "Expansion to Two Additional Transportation Control Measures", refers to extending CMAQ funding eligibility to "vehicle scrappage of pre-1980 vehicles." This measure is extremely controversial and the reference to it should be deleted.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Diane C. Regas@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:27-JAN-1997 17:43:00.00

SUBJECT: ISTEА

TO: ROBYN_D (ROBYN_D@A1@CD) (OPD)

READ:27-JAN-1997 18:30:52.97

TEXT:

Message Creation Date was at 27-JAN-1997 17:39:00

I spoke to DOT about coming over and walking us through the bill. They are happy to do it, and want to do it later this week. Do you have a couple of good times Weds or Thurs? Also they want me to let them know as specifically as possible what our issues of interest are. I told them that I am interested in environmental, welfare to work and rural transportation issues. What other issues should I pass on on your behalf?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diane C. Regas (CN=Diane C. Regas/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:27-JAN-1997 17:37:09.00

SUBJECT: ISTE A

TO: ROBYN_D (ROBYN_D @ A1 @ CD @ LNGTWY [EOP]) (OPD)

READ:UNKNOWN

TEXT:

I spoke to DOT about coming over and walking us through the bill. They are happy to do it, and want to do it later this week. Do you have a couple of good times Weds or Thurs? Also they want me to let them know as specifically as possible what our issues of interest are. I told them that I am interested in environmental, welfare to work and rural transportation issues. What other issues should I pass on on your behalf?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: David J. Worzala (CN=David J. Worzala/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 4-FEB-1997 09:27:39.00

SUBJECT: FYI

TO: Dorothy Robyn (CN=Dorothy Robyn/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

Here is the article I mentioned yesterday. I will send additional articles later in the day.

----- Forwarded by David J. Worzala/OMB/EOP on 02/04/97
09:26 AM -----

James J. Jukes

01/29/97 11:19:43 AM
Record Type: Record

To: James A. Brown/OMB/EOP, David J. Worzala/OMB/EOP

cc:

Subject: FYI

----- Forwarded by James J. Jukes/OMB/EOP on 01/29/97
11:15 AM -----

No. 19 Wednesday January 29, 1997

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SPECIAL REPORT OUTLOOK '97: TRANSPORTATION, COMMUNICATIONS, AGRICULTURE

ISTEA Reauthorization To Dominate Transportation Agenda In 1997

With the Intermodal Surface Transportation Efficiency Act set to expire later this year, House and Senate lawmakers are poised to undertake a rewrite of the landmark \$155 billion act.

The debate over ISTEA -- from the money it provides for transportation projects to the power it gives local government -- will pit highways against transit and states against cities. It will also commence a battle between some of the most powerful members of Congress: budget hawks against the princes of public works.

The first battle--and the last battle--will be over money. Early on, the House and Senate lawmakers intent on authorizing higher funding levels will try to convince budget cutters to craft a FY 1998 budget blueprint that calls for increased spending. Simultaneously, House members will be pushing to take the transportation trust funds off-budget to allow even greater spending of gas tax revenues.

Later on, lawmakers will turn to the problematic formula for distributing limited highway funds to the states. The allocation formula is expected to be one of the last items settled, allowing the competing states and their congressional delegations to spend most of the year in a debate over how much of the gas taxes they send to Washington should be returned to them in the form of transportation grants.

In between, many of the policies established by ISTEA will come under scrutiny, including those that allow states to "flex" highway money to transit and the provisions that gave cities a greater say in transportation decision-making. The role of Amtrak in the nation's surface transportation system also will be debated.

With surface transportation dominating lawmakers' agenda, aviation is expected to remain on the back burner in 1997. The one exception: Congress will be forced to examine the financing of the current system after only temporarily extending the passenger ticket tax and other excise taxes late last year. At issue is whether the excise taxes should be permanently reinstated or replaced by a user fee system that critics say would stifle competition in the airline industry.

Future Of Federal Program At Stake

When passed and signed into law five years ago, ISTEA was heralded as a law that provided record levels of federal money for highways, transit, and other transportation systems. The act, which stressed intermodalism and flexibility in the use of federal funds, also restructured long-standing surface transportation programs and relationships among the federal, state, and local governments.

Now, with the end of ISTEA looming on the horizon--the law expires Sept. 30--Congress has to decide whether to renew the act for another run or adopt competing plans that could dramatically scale back the federal programs and put most transportation projects in the hands of the states.

Some of those proposals--notably the plan to turn the program back over to the states--are being couched as the logical successors to the long-standing federal aid highway program, with some lawmakers arguing

that states now can take over the business of building and maintaining the surface transportation network. With the Interstate Highway System now complete, they say, there remains little reason for the ongoing federal involvement.

But Clinton administration officials--and most transportation leaders in Congress--say the federal government continues to have a role to play in keeping up that investment and ensuring the safety and efficiency of a system that handles the bulk of interstate commerce. They also contend that the changes brought on by ISTEA are only now being fully implemented.

Rodney Slater, President Clinton's choice to head the Transportation Department in his second term, said ISTEA juggled long-standing relationships between governments and upset the power structure. "It rocked the boat, and it made it hard for us to move forward on some occasions," Slater said.

But Slater, the well-regarded federal highway administrator who is expected to be easily confirmed as transportation secretary, said the consensus of officials is that ISTEA should be kept. "It has good parts that should be enhanced, and bad parts that should be eliminated."

Adds Deputy Federal Highway Administrator Jane Garvey: "ISTEA was the revolution, and in many ways we are working the revolution through."

President's Plan Would Expand ISTEA Policies

Although competing interest groups have been positioning themselves for the reauthorization for more than a year, the debate over the rewrite of ISTEA will begin in earnest once the president submits both his own reauthorization plan and FY 1998 transportation budget in February.

While the reauthorization plan is still being finalized, the Transportation Department already has let it be known that it plans to call for keeping ISTEA intact. But it also will urge more flexibility in the use of limited federal funds. Although the plan will stress continued investment in the interstates and other elements of the National Highway System, it is expected to recast ISTEA's Surface Transportation Program as a flexible, multimodal program that states and localities can use on almost any surface transportation infrastructure project.

The department also has made clear it wants to keep local governments involved in deciding where transportation monies are spent.

"[W]e need to give officials in city hall and in the state capitals the flexibility they need to make the best choices for the American public," the department said in a draft circulated in December.

But while retaining the basic structure and policies set out in ISTEA, the administration's reauthorization plan may not maintain its high investment levels. With the funding levels said still under negotiation with the Office of Management and Budget, Slater and other top officials

have refused to give any details on the actual spending that will be proposed.

State and local officials, however, are anticipating that the final spending levels reflected in the budget sent to Capitol Hill in February will represent essentially flat funding. Although the department reportedly tried to convince OMB to approve \$27 billion for highways in FY 1998--or a roughly \$7 billion increase over current levels--the budget hawks are said to have rejected that hike and even want to cut road and bridge spending from this year's amount.

Local officials, meanwhile, also are worried about the administration's budget for mass transit, with early reports suggesting that operating assistance will be low and a ``lumping together" of formula grants will hide more cuts.

Officials said the highway and transit levels set in the FY 1998 budget the president sends to Capitol Hill is critical because they will become the baseline for future funding of ISTEA.

OMB Resists Proposals To Hike Funding

Meanwhile, OMB is said to have also rejected the department's bid for a high level of sustained funding throughout the next reauthorization period. While DOT reportedly asked for about \$180 billion for surface transportation programs during that period, OMB was said to be trying to limit the funds to \$135 billion. The result of DOT's appeal for \$165 billion remains unknown.

In December, Chicago Mayor Richard Daley led a delegation of big city mayors to the White House, where they expressed concern about preliminary reports about transportation funding. At that time, the mayors said they were concerned about reports that OMB was assuming a large reduction in highway and transit spending beginning in FY 1998 and in the out years--roughly 20 percent, or between \$4 billion and \$5 billion annually--over the next reauthorization period.

``[A] cut in ISTEA would be devastating to cities," said Philadelphia Mayor Ed Rendell, who said President Clinton assured mayors that he would rethink the budget allocation for transportation.

But the ultimate level set in the president's budget is now expected to be much lower than what is believed necessary to maintain--let alone improve--the nation's road, bridge, and transit systems. And with those levels, officials said, the budget and reauthorization plan may be ignored on Capitol Hill.

``The fear is that the budget and the reauthorization plan will be D.O.A., and they will have no influence on the Hill--and the levels will become the ceiling for lawmakers," a local official said.

Another fear of mayors is that a paltry transportation budget request

will ``play into the hands" of lawmakers and state officials who want to dismantle ISTEA and turn the federal transportation program back to the states through devolution.

Shortly after the president sends his budget and ISTEA proposal to the Hill, two proponents of devolution are set to reintroduce their own plan to ``turn back" the program to the states. Under the proposal being readied by House Budget Committee Chairman John Kasich (R-Ohio) and Sen. Connie Mack (R-Fla), all but a fraction of the federal gas tax would be repealed, and the bulk of the surface transportation programs would be put in the hands of the states.

Access To Trust Fund Monies Key Issue

However, both Republicans and Democrats involved in writing the next surface transportation bill currently do not appear inclined to let the Clinton administration sit on the sidelines during the reauthorization. While the GOP-controlled Congress and the Democratic-controlled White House often are at odds over other policies, officials said there is more to unite the two in the ISTEA rewrite, including a strong interest on both sides in maintaining the federal role in transportation.

Slater, certain to be a pivotal player in the reauthorization, is well-liked by both GOP and Democratic members on both sides of Capitol Hill, many of whom know him from the debate over designation of the National Highway System in the 104th Congress. With billions of dollars in state highway funds threatened by any lapse in the program if the Oct. 1 reauthorization deadline is missed, Slater is expected to work closely with the key committee chairmen to win early enactment of an ISTEA bill.

The Senate is expected to quickly move Slater's nomination in February in order for him to be in place before the debate on ISTEA gets into full swing. Both the House and Senate authorizing panels are expecting to hold an initial ISTEA hearing that month and will lead off with testimony from the administration.

In the meantime, the chairmen of the panels that will write the next surface transportation bill are taking their own steps to ensure that they will have the funds necessary for adequate highway and transit programs.

As expected, House Transportation and Infrastructure Committee Chairman Bud Shuster (R-Pa) this year made the first move to secure high levels of funding, introducing with more than 100 cosponsors legislation (HR 4) to take the highway and three other transportation trust funds off budget.

Shuster said it amounts to a ``simple fraud" to tell the public they are paying gas taxes to support transportation improvements and then not spend the revenues continuously flowing into the Highway Trust Fund.

``Our first fundamental reason for doing this is to remove this fraud and spend the money on the purpose it was intended," Shuster said. ``The

second reason," he said, "is because the needs are there."

The backlog of unmet infrastructure needs has been well documented, beginning with the Transportation Department's own periodic report to Congress of the status of the nation's road, bridge, and transit systems. Officials at the Federal Highway Administration said current spending is only about 70 percent of what is needed to maintain existing conditions.

But while only about 20 percent of the nation's roads were reported by FHWA to be in good condition, billions sit in the Highway Trust Fund shielding the federal budget deficit.

"You can't on one hand acknowledge the problem of building the infrastructure but then, on the other, say 'oops, we can't really spend the money to do it,'" Shuster said.

Shuster To Push Off-Budget Bill

A large part of Shuster's argument for taking the Highway Trust Fund off budget is its ballooning balance. And the balance, FHWA said, is projected to grow steadily and substantially during the next six years if the levels set out in the most recent budget resolution are realized.

If spending is cut in accordance with the budget plan, the balance is projected to grow by more than 250 percent. An estimated \$20.8 billion in 1996 is projected to increase to more than \$50 billion in 2003, FHWA said.

Similar projections were made by the Congressional Budget Office, which said in testimony at Shuster's committee that keeping highway and transit funding at current levels will allow the trust fund balance to grow steadily over the next six years.

Shuster's plan to take the Highway Trust Fund off budget in order to free up some of this money, however, faces difficult prospects. While his bill is expected to again be approved by the House, the legislation has not gained noticeable momentum in the Senate.

The off-budget bill was approved by the House last year after a year-and-a-half, behind-the-scenes struggle that pitted Shuster against Kasich and Appropriations Committee Chairman Bob Livingston (R-La). But once Shuster managed to win the GOP leadership's pledge to allow the bill to go to the floor, Kasich and Livingston were unable to line up enough votes to defeat the legislation, and the measure was approved 244 to 143. Both sides seemed surprised by the lopsided vote in favor of Shuster's bill.

But the off-budget bill then was ignored in the Senate, even though Senate Majority Leader Trent Lott (R-Miss) agreed to sponsor companion legislation and, at least initially, spoke of actively pushing the measure.

This year, Shuster is armed with last year's vote and the support of

numerous House members, many of whom are hoping the Transportation Committee chairman's ISTEA mark will contain money for pet projects at home. Shuster's committee, soon to have over 70 members, alone represents a solid voting block.

“A few more, and we'll have a majority,” said Rep. James Oberstar (D-Minn), the Transportation Committee's ranking Democrat and a cosponsor of the off-budget bill.

In addition, the time-consuming struggle within the GOP leadership has already occurred, Oberstar told BNA.

“That's behind us,” Oberstar said. “The vote was taken, and it's pretty clear to all the players in the 104th Congress that we have the votes to do it, so I don't think we're going to have that protracted negotiation.”

Another difference is ISTEA, which Shuster lacked last year as a vehicle to force the Senate to act on the issue. Besides pushing off-budget as separate legislation, Shuster already has said he may attach it to the ISTEA bill his committee produces this spring.

Warner Seeks Funds Within Budget

Anticipating pressure both from Shuster to take the trust fund off budget and from Mack and Kasich to throw the program into the states' hands, Senate Transportation and Infrastructure Subcommittee Chairman John Warner (R-Va) is developing yet another strategy as reauthorization approaches.

Warner, whose subcommittee will begin ISTEA hearings Feb. 13, recently collected the signatures of 57 senators on a letter to Senate Budget Committee Chairman Pete Domenici (R-NM) urging that the FY 1998 budget resolution recommend highway funding be boosted to \$26 billion. That figure compares with the roughly \$20 billion that has been appropriated for highways in the past few years.

Separately, Senate Banking, Housing, and Urban Affairs Committee Chairman Al D'Amato (R-NY) urged the budget panel to also endorse \$5 billion in annual funding for mass transit. D'Amato's panel has jurisdiction over the transit title of ISTEA.

For his part, Warner said he does not believe that senators, intent on balancing the federal budget, will approve separate legislation to take the transportation trust funds off budget. Warner said he agrees with Domenici, an opponent of Shuster's bill, “that this is not a matter that the Senate will take off budget.”

The only chance Shuster has to win enactment of his off-budget bill, Warner said, is in the House-Senate conference committee that will write the final ISTEA legislation.

In the meantime, Warner said he will work within the budget process to get the extra funds for highways, a move that aides also said could appease so-called donor states dissatisfied with the return they get on the gas tax revenues sent to Washington.

Warner and his aides, pointing to the large balance in the Highway Trust Fund, said existing revenues can support that level of spending. And extra funding will be needed, aides said, to address the arguments Mack and other proponents of devolution will make.

If Congress keeps highway funding flat, or even cuts funding, while the balances in the trust fund balloon, then Mack can argue that it is wrong to keep sending gas tax monies to Washington, an aide said.

“My bottom line is that I have some of the most difficult issues facing Congress this year,” Warner told BNA. “That includes the formula, off-budget, and getting the money out of the trust fund. Those are big mountains I have to climb.”

ISTEA Reauthorization Timeline

States Seek More Power, Money

Initially, at least, the plan to “turn back” the programs to the states is expected to get some play, particularly in the Senate, where Mack has been active in arguing that returning the taxing authority to the states is consistent with the GOP's commitment to scale back the federal government role.

Aides said Mack and Kasich will be set to introduce the proposal--known as the Transportation Empowerment Act, or TEA II--during the winter meeting of the National Governors' Association. With Ohio Gov. George Voinovich (R) pushing the plan, TEA II will be debated along with competing plans.

“States do not want to receive transportation funding with federal strings attached,” Mack said. “They do not want restrictions on how transportation funding can be spent and have funding withheld for noncompliance with mandates. Moreover, governors are rightly concerned over the prospect of seeing more of their transportation funding diverted to other spending programs.”

Mack said his plan retains the portion of the federal gas tax now devoted to deficit reduction and another portion for a “modest” federal program, mostly the interstates. During a transition period, Mack said

states would have time ``to take whatever actions may be necessary to implement their own funding measures."

But one of the biggest hurdles is convincing enough lawmakers that states actually are ready to fill the gap that would be created by the repeal of most of the federal gas tax. For most states, that would mean implementing a 14-cent gas tax, and, for others with a smaller population base, it would require an even larger state gas tax.

``I have not heard a lot of enthusiasm among the states to raise their own gas taxes," an aide to Warner said.

On the House side, aides to Shuster also said they do not believe the ``turnback" plan could attract enough support.

``I don't see where the votes come to pass the turnback proposal," said Jack Schenendorf, the Transportation Committee's chief of staff. ``It doesn't even make sense. There's more of a need for a national transportation system today than ever before . . . and their proposal simply does not allow for the cross-subsidization that is necessary to maintain a national system."

Besides the national interest, Oberstar also questioned the states' record in transportation management.

``I haven't seen the states and governors have such great wisdom and fairness and balance in management of state transportation programs that they merit no-strings authority to operate these programs," Oberstar said.

Oberstar also defended lawmakers' practice of including special projects in the periodic reauthorization bills.

``Who in the end do people complain to when they get no satisfaction when their road hasn't been improved, their bridge hasn't been rebuilt or redecked? After they go through their district highway engineer, their state highway department, appealed to the governor, nothing happens--they talk to a member of Congress. After all, it's a federal program, and he's got something to say about it."

Plan May Be 'Stalking Horse' For STEP 21

But the ``turnback" plan, observers said, could achieve another goal of donor states dissatisfied with the funds they get back from Washington: it will make the so-called STEP 21 proposal seem like a moderate alternative.

STEP 21--a Surface Transportation Efficiency Program for the 21st Century--has a strong backing among a coalition of donor states intent on increasing their share of limited transportation dollars. Besides revamping the highway allocation formula, the plan scales back the federal program and gives much more authority to the states. The Southern Governors' Association also is pushing the NGA to embrace the plan.

STEP 21 has two basic funding programs: a National Highway System that commands 40 percent of overall funding, and a "streamlined" Surface Transportation Program that accounts for the remaining 60 percent of the funds. Under the STEP 21 plan, states would control that 60 percent block grant, with each state receiving back exactly its contributions in with no strings attached.

In positioning STEP 21, Virginia Gov. George Allen (R) calls STEP 21 "a common-sense, middle road" alternative to devolution and other plans and argues that it will maintain partnerships among the levels of government by retaining the role of the Metropolitan Planning Organizations. States, he said, are guaranteed a 95 percent return on their contributions.

Allen said STEP 21 "is not just about funding. It also is about program flexibility and ensuring that every state is in a position to maximize the returns for their available--and limited--transportation dollars."

But other governors and city officials believe the STEP 21 coalition's plan would be devastating to programs for mass transit, commuter and intercity rail, and clean air compliance.

"As it happens with everything else in life, some states get less than they give," said Atlanta Mayor Bill Campbell. "[Cities] are caught in the crossfire."

Campbell, who chairs the U.S. Conference of Mayors' transportation committee, warned mayors recently that Congress is under pressure to turn programs over to the states, which are dominated by transportation departments intent on building roads.

STEP 21 and similar plans "really cut us out of the process entirely," he said.

Cincinnati Mayor Roxanne Qualls also warned mayors that cities are up against a block of states--including Ohio--"that want to turn back the clock" and cut local governments out of transportation decision-making. "It's not a foregone conclusion that our involvement remains in place."

Uncertainty about the fate of ISTEA and federal transportation programs led city officials to seek a consensus with other state governors on the reauthorization.

In December, the governors of the Northeastern states--including those from Pennsylvania, New York, New Jersey, and Rhode Island--wrote to key lawmakers urging them to reauthorize ISTEA "without significant change and to reject proposals to overhaul it." They also urged them to "maximize" funding for highways and transit in FY 1998.

Unexpended Balance of the Highway Trust Fund - FYs 1996 - 2002

ISTEA Starting Point For Hill Committees

But while the debate over devolution and the formula rages, the lawmakers charged with rewriting surface transportation programs appear to be planning to use ISTEA as their starting point.

On the Senate side, Environment and Public Works Committee Chairman John Chafee (R-RI) wants to retain ISTEA and perhaps even expand some of its policies. Backing him is Sen. Max Baucus (D-Mont), the panel's ranking Democrat, whose own state also does well under the existing program.

Warner, who calls the next bill "ISTEA II," also appears committed to maintaining a strong federal program and the ISTEA framework. Warner said he is committed to keeping a focus on intermodalism and a role for cities. He even expressed support for Chafee's plan to again include high-speed rail money in the bill.

In addition, Warner indicated that the legislation again may have earmarking for projects, including the Woodrow Wilson Bridge that links Virginia to Maryland.

But Warner also remains under pressure from donor state lawmakers to give them more authority and more money. And, in a reflection of his concern over the formula, Warner said that he will introduce the STEP 21 bill before the February recess.

Warner cited in particular his concerns about the outmoded criteria used as the basis for the allocation formula.

"If I dig enough, I probably can find some [criteria] based on Pony Express routes," Warner said.

Formula Called 'Glaring Failure' of ISTEA

Warner said hearings on ISTEA will begin Feb. 13, with Transportation Department officials and experts from private think-tanks discussing the federal interest in transportation. A second session later in the month will focus on the department's ISTEA proposal and budget, he said.

But already aides indicated that an outline of the reauthorization bill is taking shape. Among the principles guiding the subcommittee as it prepares to write the legislation, they said, are a strong federal program with high authorization levels; emphasis on the National Highway System, including the interstates; continued flexibility in the use of highway funds; and an ongoing role for metropolitan areas in transportation

decision-making.

Also guiding the subcommittee as it takes up the reauthorization is a firm belief that the formula was, as one aide to Warner called it, "the glaring failure" of ISTEA.

Aides said they want to recraft the highway allocation formula so that it reflects the population growth and shifts that have occurred in the United States during the last 20 years. Among other things, they want the formula to better reflect the miles of roads that each state has to maintain.

Another goal is to cut down on the number of ISTEA's categories, particularly those created during the final hours of the 1991 reauthorization to address donor states' concerns about the formula.

"There are four equity programs, and yet they still don't get you to 90 percent," an aide said.

Top lawmakers already have made it clear that any bill that would stand a chance in the Senate must address donor states' concerns over the formula. Among others, Senate Majority Leader Trent Lott (R-Miss) has repeatedly said that the highway formula must be changed to give donor states a better return on their money.

House Plans To Fine-Tune Act

A similar scenario is emerging on the House side, where lawmakers and their aides also have indicated that they are planning to fine-tune, rather than scrap, ISTEA.

With the Transportation Committee having held numerous hearings on the reauthorization last year, Shuster already has said he is intent on keeping a strong federal program for both highways and transit. He also alerted members early in the year that the committee again may engage in earmarking, setting out criteria for judging their project requests.

But while the issue of the allocation formula has traditionally drawn more attention in the Senate, Shuster's committee also is expected to attempt to address it before taking a bill to the floor later this year. Among others, House Majority Whip Tom DeLay (R-Texas) is backing the STEP 21 plan.

Republicans and Democrats on the committee appear to be united in their mutual desire to maintain a strong program with high levels of funding. Oberstar, following discussions with Shuster and committee Democrats, said the panel will probably set about modifying ISTEA but without wholesale changes.

"We will use ISTEA as a starting point, as the baseline, and move forward from there, with adjustments as necessary to deal with this question--which cuts across partisan lines--of donor states wanting to

change the formula," Oberstar told BNA.

``The issues within the context of ISTEA are not so much Democratic or Republican," Oberstar said, ``as they are large city, small city, big state, small state."

Although Oberstar said the ``show stopper" issue of the formula probably will not be fully dealt with until the House-Senate conference, he said he expects the committee will attempt to change the formula in its bill. But, he said, the formula cannot be set so that every state receives back 100 percent of the funds it sends to Washington.

``Not every state can be on a one-to-one basis," Oberstar said.
``How would North Dakota do it alone?"

4.3 Cents Gas Tax Shift Proposed

Like their colleagues in the Senate, House lawmakers will spend the first few months of the year trying to secure more funds for their programs. House members are discussing highway authorization levels in the area of \$25 billion to \$26 billion, a level that aides said can be supported by the current Highway Trust Fund balance.

Schenendorf said \$24 billion represents a program based solely on new revenues flowing into the trust fund. A \$25 billion program is new revenues plus interest, and a program between \$26 billion and \$28 billion represents new revenues, interest, and a draw down on the trust fund balance.

``But even the lowest levels there represent a 30 percent increase in funding," Schenendorf told BNA.

Shuster could consider authorizing even greater levels of funding if he could convince Congress also to shift to the Highway Trust Fund the 4.3 cents of the gas tax now dedicated to deficit reduction, Schenendorf said.

``If you add the 4.3 cents, then you get three different levels again," he said.

Oberstar, who, like Shuster, supports shifting the gas tax to the trust fund, said the 4.3 cents would provide an extra \$5 billion for the reauthorization. But he said it will be hard to convince OMB and the budget committees in Congress to give up those revenues for deficit reduction.

``The budgeteers would have to swallow hard to do that and off-budget, too," he said.

Last year, the Senate at one point seemed poised to approve shifting the gas tax to the trust fund. Led by Sen. Robert Byrd (D-WVa), lawmakers of both parties spoke in favor of shifting the gas tax rather than simply repealing it as former Sen. Bob Dole (R-Kan) had proposed. In calling for

the shift, Byrd had said it would enable Congress to provide more funding for ISTEA programs in 1997.

Although the proposal died as Congress took up other priority issues at the end of last year's session, Shuster and other lawmakers have suggested that it could be raised again in the course of the ISTEA reauthorization.

Shuster, who called for shifting the 4.3 cents when he reintroduced his off-budget bill, said the move could help senators save passenger rail service in their states. A half-cent of the 4.3 cents, he said, could ensure Amtrak's survival.

``There's money there for Amtrak, too," Shuster said.

ISTEA Vehicle For Amtrak Reauthorization?

Shuster admitted that offering the half-cent for Amtrak could build support for the 4.3 cents gas tax shift in the Senate, where Finance Committee Chairman Bill Roth (R-Del) has repeatedly expressed interest in the plan. Many other senators of both parties want to find a dedicated funding source for the beleaguered railroad, especially as it faces the gradual loss of support from the general fund.

Among these is Lott, whose own state has been threatened with the loss of Amtrak service.

Meridian, Miss., Mayor John Robert Smith recently called on Congress to dedicate a half-cent of the gas tax to Amtrak. At the recent meeting of the U.S. Conference of Mayors, Smith said Lott is a strong supporter of the railroad.

Smith also suggested that the ISTEA rewrite would be a ``perfect" vehicle for reauthorizing Amtrak. But lawmakers in Congress are divided over whether to tack an Amtrak bill on to ISTEA.

Shuster seems among the most open to the idea.

``Amtrak could get pulled in, especially if we do the 4.3 cents," Schenendorf said.

One approach, Schenendorf said, would be to put a title in the bill reauthorizing Amtrak with a series of labor ``reforms."

``There would be reluctance to give Amtrak a big slug of money in the absence of reforms," Schenendorf said.

Another strategy, he said, would be to include the half-cent for Amtrak in ISTEA but make it subject to passage of a separate Amtrak bill later on.

But Oberstar is less supportive of including an Amtrak

reauthorization in ISTEA. And the idea of giving Amtrak a half-cent of gas tax money may still be a minority view in the House, he said.

“There’s a lot of sympathy for Amtrak, but people still have the view that Highway Trust Fund money ought to go for highways,” Oberstar said.

“If you are looking at a very limited amount of money being available, it may be difficult for our members to be inclined to vote for expanding the use of Highway Trust Fund revenues for Amtrak,” added Ken House, a Democratic aide on the House Surface Transportation Subcommittee.

Democrats also seem apprehensive of any add-ons that could become vehicles for dismantling labor protections.

Attempts to undo existing labor provisions, Oberstar said, could become “one of those obstacles to passage of the bill that would be insurmountable.”

Ways and Means Examining Transportation Taxes

The fate of the 4.3 cents, as well as the rest of the federal gas tax, also is under review at the House Ways and Means Committee. A special task force, led by Rep. Mac Collins (R-Ga), is expected to make a series of recommendations on the use of the excise taxes in March.

Although House aides said that the task force seems primarily to have been created to look at aviation tax issues, they said Ways and Means lawmakers also have been drawn into the donor-donor debate and discussions over devolution. Traditionally, Ways and Means writes the financing title of the surface transportation bill.

For his part, Shuster has expressed concern over the panel’s review of the taxes. “I’m very nervous about the whole process,” he said. “We don’t know how it will shake out.”

So far, little is known about the panel’s work, except that it continues to be briefed by DOT and other agencies about the taxes and the programs they support. Recently, the eight-member task force heard from the General Accounting Office and the Federal Aviation Administration on issues related to aviation taxes.

Ultimately, the panel is expected to be drawn into the debate over the 4.3 cents as well as Shuster’s plan to take the trust funds off budget. Last year, Ways and Means Chairman Bill Archer (R-Texas) joined Kasich and Livingston in opposing the off-budget bill.

Aviation Excise Taxes Remain In Limbo

Many officials believe the panel’s first priority, however, should be

the financing of the nation's aviation system, which has been in limbo since Congress first allowed the aviation excise taxes to lapse more than a year ago.

Allowed to expire late in 1995 were the 10 percent airline passenger ticket taxes and other excise taxes that for years have supported FAA programs, including the nation's air traffic control system. When in place, the taxes generate more than \$5 billion annually for the programs.

The taxes were allowed to lapse when Congress and the White House failed to win a budget agreement late in 1995. Although lawmakers repeatedly said they intended to find another vehicle in which to reinstate the taxes, almost a year went by before Congress agreed to a roughly three-month extension of the taxes. Then, that extension also lapsed a few weeks ago.

The key mechanism for financing aviation programs was allowed to lapse even as lawmakers' concerns about safety mounted after the highly publicized ValuJet and TWA crashes. In addition, the issue managed to be ignored despite the passage of a major FAA reauthorization bill last fall.

Although the ticket tax had been a long-standing financing tool for the system, it became viewed as a new tax by some members of Congress, Oberstar said.

“There were some members who said that if they voted for it then they would be voting for a new tax,” Oberstar said. “There was that faction that was very loud in the 104th Congress.”

Meanwhile, despite FAA's concerns that the agency's programs were in jeopardy, the Clinton administration did not push for a long-term reinstatement of the taxes, Oberstar said.

“The Clinton administration hasn't lifted a finger,” he said.

Issues to Watch in ISTEA Reauthorization

‘Big 7’ Fee Proposal Divides Industry

During the impasse, the balance in the Aviation Trust Fund has continued to drop sharply, even with the temporary reinstatement of the taxes.

According to recent figures provided by DOT, the balance in the trust fund stood at \$4.8 billion at the end of FY 1996. A year earlier, the

balance had been about \$11 billion.

If the tax is allowed to lapse indefinitely, the trust fund's uncommitted balance should be zero by mid-summer, Ken Mead, a transportation expert with the U.S. General Accounting Office, said recently.

With FAA's annual budget traditionally exceeding \$7 billion, appropriators now will be hard pressed to identify sufficient funds for aviation as they go about developing a FY 1998 spending plan, officials said.

But the airline industry, after finding that the ticket tax lapse helped its bottom line, is urging Congress not to reinstate the taxes. "The carriers realized they had a chance to make a change to a fee-based system," Oberstar said.

In recent months, lawmakers have been heavily lobbied by the nation's largest airlines to adopt a fee system. The proposal would replace the 10 percent passenger ticket tax and other excise taxes with a system of flat per-mile, per-passenger, and per-seat fees.

But start-up carriers, led by Southwest Airlines, oppose that plan, saying it would increase their costs dramatically.

The debate led the GAO to examine the fee proposal recently. In a report released at year's end, the GAO said the plan put forward by the so-called "Big Seven" carriers would likely place a heavy tax burden on other, smaller airlines and have a substantial effect on competition among carriers.

The proposed fee system, the GAO said, "would shift the financial burden away from the larger airlines and on to their competitors." GAO calculated that almost \$600 million in costs would be shifted from one segment of the industry to the other.

The GAO said the proposal could also have major regional effects. Travelers in the West and Southwest, who have benefited from the rise of low-cost, smaller airlines, could pay more for travel under a fee system, while consumers in the East and Midwest could pay relatively less.

Gore Panel To Make Financing Recommendations

The lobbying battle is one reason, aides said, why Archer set up the task force. But the issue also is expected to draw in other House and Senate committees this year, including the Senate Commerce Committee.

Sen. Wendell Ford (D-Ky), the ranking Democrat on that panel's Aviation Subcommittee, indicated his frustration over the impasse recently.

The upcoming battle over "fees versus taxes," Ford said, "is an

inside-the-Beltway game of high-stakes poker" that travelers do not care about. The public, he said, is only concerned that aviation services may be cut.

Besides the Ways and Means task force, there are at least two other panels set to examine the ``fees versus taxes" issue.

One of these was created by Congress during consideration of the FAA reauthorization act last year. The 21-member commission was charged with finding a consensus on how to finance FAA programs. However, its members have yet to be named.

The second panel is being headed by Vice President Al Gore. After leading an examination into aviation safety and security issues last year, Gore said the panel would look at the programs' funding needs, including the air traffic control system. That panel's recommendations are due Feb. 12.

However, some in Congress already are anticipating that the panel might resurrect the politically unpopular plan to create a government corporation to oversee air traffic control.

That proposal, which drew heavy fire when it was proposed by the Clinton administration in the president's first term, would again face an uphill battle in Congress, lawmakers said.

``It is a lousy idea, it should never go forward, and I will do all I can to oppose it," said Oberstar, who in the last Congress led the fight against the administration's ATC proposal.

Added Ford: ``I have no desire to privatize, period."

-- By Nancy Ognanovich

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/FontBBox [ -143 -228 913 962 ]
/FontName /Helvetica-Narrow-BoldOblique
/ItalicAngle -12
/StemV 140
/XHeight 532
>>
endobj
10 0 obj
<<
/Type /Catalog
/Pages 7 0 R
/Outlines 12 0 R
>>
endobj
11 0 obj
<<
/CreationDate (D:19970128172224)
/Producer (Acrobat Distiller 2.1 for Macintosh)
/ModDate (D:19970128181236)
>>
endobj
12 0 obj
<<
```

```
/Count 0
/Type /Outlines
>>
endobj
xref
0 13
0000000000 65535 f
0000000017 00000 n
0000000187 00000 n
0000000281 00000 n
0000002369 00000 n
0000002494 00000 n
0000003585 00000 n
0000004688 00000 n
0000004787 00000 n
0000005005 00000 n
0000005242 00000 n
0000005321 00000 n
0000005461 00000 n
trailer
<<
/Size 13
/Info 11 0 R
/Root 10 0 R
/ID[<86a9781c0620c2f9767381350f5df7e0><86a9781c0620c2f9767381350f5df7e0>]
>>
startxref
5518
%%EOF
```

===== END ATTACHMENT 1 =====

===== ATTACHMENT 2 =====

ATT CREATION TIME/DATE: 0 00:00:00.00

```
TEXT:
%PDF-1.1
%
1 0 obj
[
/CalRGB << /WhitePoint [ 0.9505 1 1.089 ] /Gamma [ 1.8 1.8 1.8 ] /Matrix [ 0.44
97 0.2446 0.0252 0.3163 0.672 0.1412 0.1845 0.0833 0.9227 ] >>
]
endobj
2 0 obj
<<
/Type /Page
/Parent 8 0 R
/Resources 4 0 R
/Contents 3 0 R
>>
endobj
3 0 obj
<< /Length 2184 /Filter /LZWDecode >>
```

stream
Dq
FBr2 s86
#L5AE! a -`@h6 Slj6Ngbd6E.6Rit\$soBL@P/# "7Q\3d(c)
E;4b# iIKBP4^
iteaL
B}7NuKd eh7
\$4CmZTRx8MC)a6M8&t4DI9a<#u9cl@b!A`3Lk8b)`hP""JC"DOKQkZ(D4|CQk\$K.q>hI2X4@)S 2 Lk
c8:(T"O8%A2.g14HqG*\$Xn)zk2T>47E.A17TAIixhN
zILu#Z4jR\WSy\$QXsYSSsls`TP'A\nM)8pp[
TiPd_v-k.HRTais-nc`piPrL{J+nI^s*~U^.OmkneFAIj
{M-e@c[c2pnSnf^9_aYM!`a.\#iqJ`-OH
iCWdo`4}i&SY_+t^[xTKTUoo>x]7_%3%!TUsa?xRXgRTcQglrl L
o>vZW0efSb!j
=\8mdK|5 :~8jAps
:c2.a+"FITsY=!Sg hg~]fg%!C#n3l.7h
\$%3@4LDU,6KhFD=
Fp]) RC^2=="#{46_y8<!feSA%[(a-A L,)dkXYdru2aT
\$pm@!PQAK?MS5B xvMR]iHuzNNJbHp
ryB*W %DVTB
/GMH \[HU7
.<KxA^W/D
'f%c
TASLB PqV10r
DQKz5:w%dg.=0UshL HdPEDRYK+ZF*RS>"(Jl #RK%!?:+aj `2QEQz"H?[nwlpBG\rJT6<R~wD tn>
owe%[m\$-o :{h)rJ>bJj_wuVHIIdg\$bX)b%:b\$&4ul:-JQY2hS`vE-/SeuUr6\!%Z~X*
^B%bv1.,l/ {A a7TRDR@IZCh @C
1wlfs5
b?ns|VA)\mla7Suyvki&W-LbXX.E%nAm
9cJ}|
H4M%;Z%(S)VI"-
Bwjelaj #cHl
7@yD
0 ! Dk 9
KweL,;gD9tx%k3IYWm.R[3!2!j!kCJSL(S@4n
@9Jx `u 2s `2@@
endstream
endobj
4 0 obj
<<
/ProcSet [/PDF /Text]
/ColorSpace << /DefaultRGB 1 0 R >>
/Font << /F3 5 0 R /F5 6 0 R /F7 7 0 R >>
>>
endobj
5 0 obj
<<
/Type /Font
/Subtype /Type1
/Name /F3
/FirstChar 32
/LastChar 255
/Widths [228 228 291 456 456 729 547 157 273 273 319 479 228 273 228 228 456

456 456 456 456 456 456 456 456 456 228 228 479 479 479 456 832
547 547 592 592 547 501 638 592 228 410 547 456 683 592 638 547
638 592 547 501 592 547 774 547 547 501 228 228 228 385 456 273
456 456 410 456 456 228 456 456 182 182 410 182 683 456 456 456
456 273 410 228 456 410 592 410 410 410 274 213 274 479 0 547 547
592 547 592 638 592 456 456 456 456 456 410 456 456 456 456
228 228 228 228 456 456 456 456 456 456 456 456 456 456 328
456 456 456 287 440 501 604 604 820 273 273 0 820 638 0 479 0 0
456 456 0 0 0 0 0 303 299 0 729 501 501 273 479 0 456 0 0 456 456
820 228 547 547 638 820 774 456 820 273 273 182 182 479 0 410 547
137 456 273 273 410 410 456 228 182 273 820 547 547 547 547 547
228 228 228 228 638 638 0 638 592 592 592 228 273 273 273 273 273
273 273 273 273 273]

/Encoding /MacRomanEncoding

/BaseFont /Helvetica-Narrow

/FontDescriptor 9 0 R

>>

endobj

6 0 obj

<<

/Type /Font

/Subtype /Type1

/Name /F5

/FirstChar 32

/LastChar 255

/Widths [228 273 389 456 456 729 592 195 273 273 319 479 228 273 228 228 456

456 456 456 456 456 456 456 456 456 273 273 479 479 479 501 800
592 592 592 592 547 501 638 592 228 456 592 501 683 592 638 547
638 592 547 501 592 547 774 547 547 501 273 228 273 479 456 273
456 501 456 501 456 273 501 501 228 228 456 228 729 501 501 501
501 319 456 273 501 456 638 456 456 410 319 230 319 479 0 592 592
592 547 592 638 592 456 456 456 456 456 456 456 456 456 456
228 228 228 228 501 501 501 501 501 501 501 501 501 456 328
456 456 456 287 456 501 604 604 820 273 273 0 820 638 0 479 0 0
456 501 0 0 0 0 0 303 299 0 729 501 501 273 479 0 456 0 0 456 456
820 228 592 592 638 820 774 456 820 410 410 228 228 479 0 456 547
137 456 273 273 501 501 456 228 228 410 820 592 547 592 547 547
228 228 228 228 638 638 0 638 592 592 592 228 273 273 273 273 273
273 273 273 273 273]

/Encoding /MacRomanEncoding

/BaseFont /Helvetica-Narrow-BoldOblique

/FontDescriptor 10 0 R

>>

endobj

7 0 obj

<<

/Type /Font

/Subtype /Type1

/Name /F7

/FirstChar 32

/LastChar 255

/Widths [228 273 389 456 456 729 592 195 273 273 319 479 228 273 228 228 456

456 456 456 456 456 456 456 456 456 273 273 479 479 479 501 800
592 592 592 592 547 501 638 592 228 456 592 501 683 592 638 547
638 592 547 501 592 547 774 547 547 501 273 228 273 479 456 273
456 501 456 501 456 273 501 501 228 228 456 228 729 501 501 501
501 319 456 273 501 456 638 456 456 410 319 230 319 479 0 592 592
592 547 592 638 592 456 456 456 456 456 456 456 456 456 456
228 228 228 228 501 501 501 501 501 501 501 501 501 456 328
456 456 456 287 456 501 604 604 820 273 273 0 820 638 0 479 0 0
456 501 0 0 0 0 303 299 0 729 501 501 273 479 0 456 0 0 456 456
820 228 592 592 638 820 774 456 820 410 410 228 228 479 0 456 547
137 456 273 273 501 501 456 228 228 410 820 592 547 592 547 547
228 228 228 228 638 638 0 638 592 592 592 228 273 273 273 273
273 273 273 273]

/Encoding /MacRomanEncoding

/BaseFont /Helvetica-Narrow-Bold

/FontDescriptor 11 0 R

>>

endobj

8 0 obj

<<

/Type /Pages

/Kids [2 0 R]

/Count 1

/MediaBox [0 0 612 792]

>>

endobj

9 0 obj

<<

/Type /FontDescriptor

/Ascent 718

/CapHeight 718

/Descent -207

/Flags 48

/FontBBox [-136 -225 820 931]

/FontName /Helvetica-Narrow

/ItalicAngle 0

/StemV 88

/XHeight 523

>>

endobj

10 0 obj

<<

/Type /FontDescriptor

/Ascent 718

/CapHeight 718

/Descent -207

/Flags 262256

/FontBBox [-143 -228 913 962]

/FontName /Helvetica-Narrow-BoldOblique

/ItalicAngle -12

/StemV 140

/XHeight 532

>>

endobj

```
11 0 obj
<<
/Type /FontDescriptor
/Ascent 718
/CapHeight 718
/Descent -207
/Flags 262192
/FontBBox [ -139 -228 822 962 ]
/FontName /Helvetica-Narrow-Bold
/ItalicAngle 0
/StemV 140
/XHeight 532
>>
endobj
12 0 obj
<<
/Type /Catalog
/Pages 8 0 R
/Outlines 14 0 R
>>
endobj
13 0 obj
<<
/CreationDate (D:19970128172154)
/Producer (Acrobat Distiller 2.1 for Macintosh)
/ModDate (D:19970128181154)
>>
endobj
14 0 obj
<<
/Count 0
/Type /Outlines
>>
endobj
xref
0 15
0000000000 65535 f
0000000017 00000 n
0000000187 00000 n
0000000281 00000 n
0000002541 00000 n
0000002676 00000 n
0000003767 00000 n
0000004871 00000 n
0000005968 00000 n
0000006067 00000 n
0000006285 00000 n
0000006523 00000 n
0000006752 00000 n
0000006831 00000 n
0000006971 00000 n
trailer
<<
/Size 15
```

/Info 13 0 R
/Root 12 0 R
/ID[<caa7d97d37399011bfca725757a2469e><caa7d97d37399011bfca725757a2469e>]
>>
startxref
7028
%%EOF

===== END ATTACHMENT 2 =====

===== ATTACHMENT 3 =====

ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

%PDF-1.1

%

1 0 obj

[

/CalRGB << /WhitePoint [0.9505 1 1.089] /Gamma [1.8 1.8 1.8] /Matrix [0.44
97 0.2446 0.0252 0.3163 0.672 0.1412 0.1845 0.0833 0.9227] >>

]

endobj

2 0 obj

<<

/Type /Page

/Parent 7 0 R

/Resources 4 0 R

/Contents 3 0 R

>>

endobj

3 0 obj

<< /Length 2203 /Filter /LZWDecode >>

stream

Dq

FBr2 s86

#L5AE! a -`Hq Jdhe7ESd

(b

(mHQ&

H

!4T3Fpx02 E(l.eIrT;Kblu2Cx)E 4PABHa:

4P[#X(eP/q\ir0

I

"{ty> _Gc:GXW+|!nPpfPP

)(4#`@(Cx

P7 25BCS\$6ra`0"r7O 4)QQ0b(9

1C3X #5.4AB<q(;nGA)0p6\$!n#h

l4"(P5s`ip

XI=\$7 PJ6@XP@[l ,B

#emWa\L; #hXX 3O(6

#87Ot?15hC9)f ;\x6cY

T"E`5el mcZ25A>

1lhm\8EQ_Abu3nzl@CW@W1Z,<_+E9xFP%A\j!os)nN;')JWrAnAnprK%]/"/|g

.,sn.Z]oip^t(f(19J~gGGW"zr;7h.!4SSaR lH7Gioa%R .C,Zz'!\3*D:OP 438gr"Hp2sXP!

8F&xv
!z!P 4*x
!po"f9`
9/%C/jB&(

2P0:@PeWEC4hi\3-\$ 4E:rk%5fYDClsQqlc@&m S"A2 z,i)4ijUr8gH5fMIZght`lUX
""v]%lgbEBq\sg+,`73\$M3l SBC JqJXi#DlF0.C

pBiVT58RK4*ia*FHd ...!.Q7pi\k}+|*9X`y(Q
.o#

[p4GBifCV6c,BGIWkUk,o\
l@9^B)%Gd]VI-Z7irn*deHlkxJPbe:y, L[XJ_;sf6}`;/qe7pAr.

+ayq\$,K!.#zeB(UI@lSwpPx3\
[TrH!X.? 3.j\$E)Tp@S[{&VfaP+y !DrQiF&JlAya

Ll![/.fB
6&l2-lYR%3b5 R_:uY^AH SaAAu'kl:Vq>ug E+.xy<%@)\[5(PviXlq2

c*er>R:l
*&.+J)D{Ow2Oo3[+ a
mf1G<M]u[MP[_] K*BB8@nq6,}tlKdc0_?tHaM9GZ

{#uOwO{uF\.:^md:%}C/\$2;
endstream
endobj

4 0 obj
<<
/ProcSet [/PDF /Text]

/ColorSpace << /DefaultRGB 1 0 R >>
/Font << /F3 5 0 R /F5 6 0 R >>
>>

endobj
5 0 obj
<<
/Type /Font
/Subtype /Type1
/Name /F3
/FirstChar 32
/LastChar 255
/Widths [228 228 291 456 456 729 547 157 273 273 319 479 228 273 228 228 456

456 456 456 456 456 456 456 456 228 228 479 479 479 456 832
547 547 592 592 547 501 638 592 228 410 547 456 683 592 638 547
638 592 547 501 592 547 774 547 547 501 228 228 228 385 456 273
456 456 410 456 456 228 456 456 182 182 410 182 683 456 456 456
456 273 410 228 456 410 592 410 410 410 274 213 274 479 0 547 547
592 547 592 638 592 456 456 456 456 456 410 456 456 456 456
228 228 228 228 456 456 456 456 456 456 456 456 456 456 328
456 456 456 287 440 501 604 604 820 273 273 0 820 638 0 479 0 0
456 456 0 0 0 0 303 299 0 729 501 501 273 479 0 456 0 0 456 456
820 228 547 547 638 820 774 456 820 273 273 182 182 479 0 410 547
137 456 273 273 410 410 456 228 182 273 820 547 547 547 547 547
228 228 228 228 638 638 0 638 592 592 592 228 273 273 273 273 273
273 273 273 273 273]

/Encoding /MacRomanEncoding
/BaseFont /Helvetica-Narrow
/FontDescriptor 8 0 R

```
>>
endobj
6 0 obj
<<
/Type /Font
/Subtype /Type1
/Name /F5
/FirstChar 32
/LastChar 255
/Widths [ 228 273 389 456 456 729 592 195 273 273 319 479 228 273 228 228 456
```

```
456 456 456 456 456 456 456 456 273 273 479 479 479 501 800
592 592 592 592 547 501 638 592 228 456 592 501 683 592 638 547
638 592 547 501 592 547 774 547 547 501 273 228 273 479 456 273
456 501 456 501 456 273 501 501 228 228 456 228 729 501 501 501
501 319 456 273 501 456 638 456 456 410 319 230 319 479 0 592 592
592 547 592 638 592 456 456 456 456 456 456 456 456 456 456
228 228 228 228 501 501 501 501 501 501 501 501 501 456 328
456 456 456 287 456 501 604 604 820 273 273 0 820 638 0 479 0 0
456 501 0 0 0 0 303 299 0 729 501 501 273 479 0 456 0 0 456 456
820 228 592 592 638 820 774 456 820 410 410 228 228 479 0 456 547
137 456 273 273 501 501 456 228 228 410 820 592 547 592 547 547
228 228 228 228 638 638 0 638 592 592 592 228 273 273 273 273
273 273 273 273 273 ]
```

```
/Encoding /MacRomanEncoding
/BaseFont /Helvetica-Narrow-BoldOblique
/FontDescriptor 9 0 R
```

```
>>
endobj
7 0 obj
<<
/Type /Pages
/Kids [ 2 0 R ]
/Count 1
/MediaBox [ 0 0 612 792 ]
```

```
>>
endobj
8 0 obj
<<
/Type /FontDescriptor
/Ascent 718
/CapHeight 718
/Descent -207
/Flags 48
/FontBBox [ -136 -225 820 931 ]
/FontName /Helvetica-Narrow
/ItalicAngle 0
/StemV 88
/XHeight 523
```

```
>>
endobj
9 0 obj
<<
/Type /FontDescriptor
```

/Ascent 718
/CapHeight 718
/Descent -207
/Flags 262256
/FontBBox [-143 -228 913 962]
/FontName /Helvetica-Narrow-BoldOblique
/ItalicAngle -12
/StemV 140
/XHeight 532
>>
endobj
10 0 obj
<<
/Type /Catalog
/Pages 7 0 R
/Outlines 12 0 R
>>
endobj
11 0 obj
<<
/CreationDate (D:19970128172117)
/Producer (Acrobat Distiller 2.1 for Macintosh)
/ModDate (D:19970128181102)
>>
endobj
12 0 obj
<<
/Count 0
/Type /Outlines
>>
endobj
xref
0 13
0000000000 65535 f
0000000017 00000 n
0000000187 00000 n
0000000281 00000 n
0000002560 00000 n
0000002685 00000 n
0000003776 00000 n
0000004879 00000 n
0000004978 00000 n
0000005196 00000 n
0000005433 00000 n
0000005512 00000 n
0000005652 00000 n
trailer
<<
/Size 13
/Info 11 0 R
/Root 10 0 R
/ID[<f91be85b4ec0df8a24f18cfb100861dd><f91be85b4ec0df8a24f18cfb100861dd>]
>>
startxref

5709
%%EOF

===== END ATTACHMENT 3 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ellen S. Seidman (CN=Ellen S. Seidman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:13-FEB-1997 15:03:01.00

SUBJECT: Rescheduling of ISTE/CMAQ meeting

TO: Dorothy Robyn (CN=Dorothy Robyn/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

Dorothy, this is still bad for me. ellen

----- Forwarded by Ellen S. Seidman/OPD/EOP on 02/13/97
03:01 PM -----

James A. Brown

02/13/97 02:47:00 PM

Record Type: Record

To: Diane Regas, Ellen S. Seidman

cc:

Subject: Rescheduling of ISTE/CMAQ meeting

Message Creation Date was at 13-FEB-1997 14:47:00

Is there anyone who plans to attend who would experience a major conflict if we moved the meeting from 11:00 to 1:00 to 9:00 to 11:00? There appears to be a conflicting environmental policy meeting at 11:00 A.M., and many people have conflicts in the afternoon.

(We are attempting to hold this on Friday, if at all possible, because key CEQ staff will not be available next week.)

If 9:00 A.M. to 11:00 A.M. poses a major problem, please let me know by 3:30 today. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Dorothy Robyn (CN=Dorothy Robyn/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:13-FEB-1997 18:24:52.00

SUBJECT: Re: Rescheduling of ISTE/CMAQ meeting

TO: Ellen S. Seidman (CN=Ellen S. Seidman/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

I'm planning to go; thanks for flagging it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Dorothy Robyn (CN=Dorothy Robyn/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:13-FEB-1997 18:24:53.00

SUBJECT: Re: Rescheduling of ISTE/CMAQ meeting for 4:00 p.m. Friday in room

TO: Ellen S. Seidman (CN=Ellen S. Seidman/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

thanks; I need to call him anyway.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: James A. Brown@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:13-FEB-1997 17:22:00.00

SUBJECT: Rescheduling of ISTE/CMAQ meeting for 4:00 p.m. Friday in room

TO: MAZUR_M (MAZUR_M@A1@CD) (WHO)
READ:13-FEB-1997 17:28:34.81

TO: REGAS_D (REGAS_D@A1@CD) (OPD)
READ:NOT READ

TO: SEIDMAN_E (SEIDMAN_E@A1@CD) (OPD)
READ:NOT READ

TO: Linda Lance (Linda Lance@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Ananias Blocker III (Ananias Blocker III@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Barbara Chow (Barbara Chow@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Dorothy Robyn (Dorothy Robyn@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: T J. Glauthier (T J. Glauthier@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Elwood J. Holstein (Elwood J. Holstein@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Michael Deich (Michael Deich@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: David J. Worzala (David J. Worzala@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Jonathan C. Ball (Jonathan C. Ball@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Diane R. Montgomery (Diane R. Montgomery@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: David E. Tornquist (David E. Tornquist@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Kenneth L. Schwartz (Kenneth L. Schwartz@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Edward H. Clarke READ:NOT READ	(Edward H. Clarke@EOP@LNGTWY@EOPMRX)
CC: Victoria Wassmer READ:NOT READ	(Victoria Wassmer@EOP@LNGTWY@EOPMRX)
CC: Pamela S. Barr READ:NOT READ	(Pamela S. Barr@EOP@LNGTWY@EOPMRX)
CC: Cheree D. Desimone READ:NOT READ	(Cheree D. Desimone@EOP@LNGTWY@EOPMRX)
CC: Daniel M. Tangherlini READ:NOT READ	(Daniel M. Tangherlini@EOP@LNGTWY@EOPMRX)
CC: J C. Crutchfield READ:NOT READ	(J C. Crutchfield@EOP@LNGTWY@EOPMRX)
CC: Wesley P. Warren READ:NOT READ	(Wesley P. Warren@EOP@LNGTWY@EOPMRX)
CC: Henry C. Kelly READ:NOT READ	(Henry C. Kelly@EOP@LNGTWY@EOPMRX)
CC: Barbara F. Kahlow READ:NOT READ	(Barbara F. Kahlow@EOP@LNGTWY@EOPMRX)
CC: Zach Church READ:NOT READ	(Zach Church@EOP@LNGTWY@EOPMRX)
CC: Janet E. Irwin READ:NOT READ	(Janet E. Irwin@EOP@LNGTWY@EOPMRX)
CC: Bruce W. McConnell READ:NOT READ	(Bruce W. McConnell@EOP@LNGTWY@EOPMRX)
CC: Joslyn G. Mack READ:NOT READ	(Joslyn G. Mack@EOP@LNGTWY@EOPMRX)
CC: Kevin F. Neyland READ:NOT READ	(Kevin F. Neyland@EOP@LNGTWY@EOPMRX)
CC: Bonnie Galvin READ:NOT READ	(Bonnie Galvin@EOP@LNGTWY@EOPMRX)
CC: Stacy L. Dean READ:NOT READ	(Stacy L. Dean@EOP@LNGTWY@EOPMRX)
CC: Michael A. Fitzpatrick READ:NOT READ	(Michael A. Fitzpatrick@EOP@LNGTWY@EOPMRX)
CC: Christopher D. Wolz READ:NOT READ	(Christopher D. Wolz@EOP@LNGTWY@EOPMRX)

CC: Ronald M. Cogswell (Ronald M. Cogswell@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Robert S. Fairweather (Robert S. Fairweather@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Ronald K. Peterson (Ronald K. Peterson@EOP@LNGTWY@EOPMRX)
READ:NOT READ

CC: Elyse H. Fitter (Elyse H. Fitter@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TEXT:

Message Creation Date was at 13-FEB-1997 17:04:00

It seems that 4:00 p.m. is the least inconvenient time to meet on Friday (key personnel from the agencies, and/or a conference room are unavailable at other times). Therefore, the meeting on ISTEA/CMAQ and related* issues has been rescheduled for 4:00 p.m in room 9104

Agency representatives will include Jano Lieber (DOT) and David Gardner (EPA).

I will circulate briefing materials from the agencies as soon as they become available.

Thanks.

* In addition to issues regarding CMAQ, we will also discuss any DOT/EPA differences regarding "Brownfields" and Climate Change.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: James A. Brown (CN=James A. Brown/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:13-FEB-1997 14:55:14.00

SUBJECT: 11:00 A.M. meeting tomorrow (Friday, February 14th) in NEOB 9104 on the Congestion Mitigation and Air Quality sections of the Department of Transportation Draft Highway ("ISTEA") Reauthorization bill

TO: Elwood J. Holstein (CN=Elwood J. Holstein/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:

Please note that we are attempting to reschedule to 9:00 - 11:00.

----- Forwarded by James A. Brown/OMB/EOP on 02/13/97

02:53 PM -----

James A. Brown
02/13/97 12:12:26 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: James C. Murr/OMB/EOP, James J. Jukes/OMB/EOP, Jeffrey A. Weinberg/OMB/EOP
Subject: 11:00 A.M. meeting tomorrow (Friday, February 14th) in NEOB 9104 on the Congestion Mitigation and Air Quality sections of the Department of Transportation Draft Highway ("ISTEA") Reauthorization bill

We will be meeting with representatives of the Department of Transportation, Environmental Protection Agency, and the Department of Justice in room 9104 from 11:00 A.M. to 1:00 P.M. tomorrow, Friday, February 14th regarding the Congestion Mitigation and Air Quality (CMAQ) provisions of DOT's draft highway ("ISTEA") reauthorization bill.

The CMAQ provisions were initially circulated to most of you for comment on January 13th (and subsequently, as part of the entire draft bill, on February 5th.) We understand that EPA and DOT have held several meetings on these provisions, and have reached agreement on some modifications.

This meeting has been called to:

1. Brief interested EOP staff and answer any outstanding questions on the CMAQ provisions and on any modifications to these provisions which will subsequently be circulated.
2. Identify any policy issues regarding the CMAQ provisions, and provide EOP guidance for resolving them.

AGENDA

1. General explanation of CMAQ provisions [DOT].
2. Explanation of agreed upon modifications to previously circulated CMAQ language [DOT and EPA].
3. Description of remaining issue(s) [EPA, DOT, DOJ].
4. Caucus of EOP attendees on policy issues.
5. Provision of EOP policy guidance on remaining issues,
6. Adjournment.

We have asked EPA for a statement of any remaining issues (hopefully in electronic form), and will circulate it to you as soon as it is received. [We will also circulate any briefing materials received from DOT or DOJ.]

All EOP offices with an interest in issues related to the CMAQ provisions are requested to participate. (Since we hope to provide guidance on any unresolved CMAQ issues, please provide a representative who is authorized to speak for your office on these issues.)

This meeting will be limited to CMAQ related issues. Meetings will be held on other specific sections of the bill as required. Thanks.

Message Sent

To:

David J. Worzala/OMB/EOP
Jonathan C. Ball/OMB/EOP
Diane R. Montgomery/OMB/EOP
David E. Tornquist/OMB/EOP
Kenneth L. Schwartz/OMB/EOP
Edward H. Clarke/OMB/EOP
Victoria Wassmer/OMB/EOP
Pamela S. Barr/OMB/EOP
Cheree D. Desimone/OMB/EOP
Michael Deich/OMB/EOP
Daniel M. Tangherlini/OMB/EOP
J C. Crutchfield/OMB/EOP
MAZUR_M @ A1 @ CD @ LNGTWY
Linda Lance/CEQ/EOP
REGAS_D @ A1 @ CD @ LNGTWY
SEIDMAN_E @ A1 @ CD @ LNGTWY
Ananias Blocker III/WHO/EOP
Barbara Chow/WHO/EOP
Wesley P. Warren/CEQ/EOP
Henry C. Kelly/OSTP/EOP
Barbara F. Kahlow/OMB/EOP
Zach Church/OMB/EOP

Janet E. Irwin/OMB/EOP
Bruce W. McConnell/OMB/EOP
Dorothy Robyn/OPD/EOP
Joslyn G. Mack/OMB/EOP
Kevin F. Neyland/OMB/EOP
Bonnie Galvin/OMB/EOP
Stacy L. Dean/OMB/EOP
Michael A. Fitzpatrick/OMB/EOP
Christopher D. Wolz/OMB/EOP
T J. Glauthier/OMB/EOP
Ronald M. Cogswell/OMB/EOP
Robert S. Fairweather/OMB/EOP
Ronald K. Peterson/OMB/EOP
Elyse H. Fitter/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: James A. Brown (CN=James A. Brown/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:13-FEB-1997 14:54:22.00

SUBJECT: Rescheduling of ISTEA/CMAQ meeting

TO: Elwood J. Holstein (CN=Elwood J. Holstein/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

Ellen Seidman suggested that you would be interested in this meeting. (A copy of our initial e-mail laying out the meeting's agenda follows.)

----- Forwarded by James A. Brown/OMB/EOP on 02/13/97

02:51 PM -----

James A. Brown

02/13/97 02:47:34 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: Rescheduling of ISTEA/CMAQ meeting

Is there anyone who plans to attend who would experience a major conflict if we moved the meeting from 11:00 to 1:00 to 9:00 to 11:00? There appears to be a conflicting environmental policy meeting at 11:00 A.M., and many people have conflicts in the afternoon.

(We are attempting to hold this on Friday, if at all possible, because key CEQ staff will not be available next week.)

If 9:00 A.M. to 11:00 A.M. poses a major problem, please let me know by 3:30 today. Thanks.

Message Sent

To:

David J. Worzala/OMB/EOP

Jonathan C. Ball/OMB/EOP

Diane R. Montgomery/OMB/EOP

David E. Tornquist/OMB/EOP

Kenneth L. Schwartz/OMB/EOP

Edward H. Clarke/OMB/EOP

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Michael A. Fitzpatrick/OMB/EOP
Christopher D. Wolz/OMB/EOP
T J. Glauthier/OMB/EOP
Ronald M. Cogswell/OMB/EOP
Robert S. Fairweather/OMB/EOP
Ronald K. Peterson/OMB/EOP
Elyse H. Fitter/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diane C. Regas (CN=Diane C. Regas/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:14-FEB-1997 09:31:40.00

SUBJECT: Rescheduling of ISTE/CMAQ meeting for 4:00 p.m. Friday in room

TO: Dorothy Robyn (CN=Dorothy Robyn/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

----- Forwarded by Diane C. Regas/OPD/EOP on 02/14/97
09:30 AM -----

James A. Brown

02/13/97 05:04:00 PM

Record Type: Record

To: Diane Regas, Ellen S. Seidman

cc:
Subject: Rescheduling of ISTE/CMAQ meeting for 4:00 p.m. Friday in room

Message Creation Date was at 13-FEB-1997 17:04:00

It seems that 4:00 p.m. is the least inconvenient time to meet on Friday
(key
personnel from the agencies, and/or a conference room are unavailable at
other
times). Therefore, the meeting on ISTE/CMAQ and related* issues has
been
rescheduled for 4:00 p.m in room 9104

Agency representatives will include Jano Lieber (DOT) and David Gardner
(EPA).

I will circulate briefing materials from the agencies as soon as they
become
available.

Thanks.

* In addition to issues regarding CMAQ, we will also discuss any DOT/EPA
differences regarding "Brownfields" and Climate Change.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Linda Lance (CN=Linda Lance/OU=CEQ/O=EOP [CEQ])

CREATION DATE/TIME:14-FEB-1997 12:25:53.00

SUBJECT: Re: ISTE A

TO: Diane C. Regas (CN=Diane C. Regas/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

CC: Bradley M. Campbell (CN=Bradley M. Campbell/OU=CEQ/O=EOP @ EOP [CEQ])

READ:UNKNOWN

TEXT:

i don't know where they currently are on brownfields/climate change, since hansen and downey met yesterday. i've made clear to them in the past that i will resist provisions on brownfields/climate change that wave red flags unnecessarily, and i haven't seen any proposal from epa on climate that doesn't do that. dot has been working to see if there's an incentive proposal for those states that sign up voluntarily for conservation programs directed to reducing vmt that isn't alarming.

in case we don't have time to talk before, i think both agencies may be doing a bit of brinkmanship and not finalizing on these issues until they hear where the policy offices are. your concerns about brownfields will not be the first time epa has heard it, and should help resolve the situation. fyi -- in an effort to be responsive, dot is putting together a list of actions they currently can take administratively on brownfields, and are playing around with drafting some kind of pilot program -- but nothing that is not strictly related to transportation projects.

fyi, brad -- this meeting scheduled by omb is at 4 p.m. today somewhere in neob. if you want to come you're cordially invited. if not, diane and i will express your concerns, and this won't be the final word on the subject (altho we're getting close to closure).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diane C. Regas (CN=Diane C. Regas/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:14-FEB-1997 09:34:21.00

SUBJECT: ISTEА

TO: Linda Lance (CN=Linda Lance/OU=CEQ/O=EOP @ EOP [CEQ])

READ:UNKNOWN

TEXT:

Re: Climate Change and Brownfields

Can we chat briefly before the meeting. I don't know where EPA will be at the meeting this afternoon on Brownfields, but I am very concerned about the strategy of mentioning brownfields in ISTEА--especially if it is true that there is no substantive benefit.

Re climate change, do you know what exactly EPA is proposing today?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jonathan A. Kaplan (CN=Jonathan A. Kaplan/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:17-FEB-1997 13:52:13.00

SUBJECT: Meeting on Saturday

TO: Russell W. Horwitz (CN=Russell W. Horwitz/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TO: Melissa Green (CN=Melissa Green/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

Two things from my notes:

1. Someone needs to be tasked to organize a Dimond goodbye party for this Friday from 4:30 to 6:00 and to consult Gene about invite list
2. Gene wanted to call Rodney Slater regarding ISTE A strategy.