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Subseries:

OA/ID Number: 13542

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Folder Title:

ISTEA [Intermodal Surface Transportation Efficiency Act] [Folder 2] [1]

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Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	List of Attendees for NEXTEA Briefing; RE: Personally Identifiable Information [partial] (3 pages)	05/20/1997	b(6)
002. email	Suzanne Dale to Richard Hayes at 05:19:53; RE: Personally Identifiable Information [partial] (2 pages)	05/06/1997	b(6)
003. email	Suzanne Dale to Richard Hayes at 05:19:53; RE: Personally Identifiable Information [partial] (2 pages)	05/06/1997	b(6)
004. email	Suzanne Dale to Richard Hayes at 05:19:53; RE: Personally Identifiable Information [partial] (2 pages)	05/06/1997	b(6)

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Intergovernmental Affairs
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FOLDER TITLE:

ISTEA [Intermodal Surface Transportation Efficiency Act] [Folder 2] [1]

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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]

- Slater
- ✓ only 6% welfare recipients. own cars
 - ✓ 1/2 jobs in Cleveland can't be reached by public transit -
 - ✓ often job app. depends upon ability to get to work
- NEXTEA- 11% increased

JobsLink Provision

Gordon
Linton -
Transit
Admin.

30-40% of public transit riders are low-income citizens -

FTA will provide 50% funds for W2W - other 50 from others - including other federal partners -

Transit industry must continue to respond to needs -

Transit agencies urged to take a role -

Private sector providers -

States need. address needs -

NGA/FTA grants - transp. strategies -

\$300k to start planning - bet. state agencies.

Planning needs will continue to exist -

FTA/DOJ - prog. that encourages transit related jobs - econ. development.

JOBS-LINK - link bet. community
to suburban jobs - HUD part this -
bridges bet. inner-city & jobs -

advocacy org. -
private bus.
govt. all levels -

Jane Gurney

Fed. Highway - W2W - reop. - jobs in
this piece of it -

labor jobs - hldrs.

getting those jobs - people who
need them

O.J.T. - moving people to journey level
positions -

states set goals -

must estab. entry-level jobs for
yngs. & fed. funds -

new apps. & minorities.

OJT Training

pre-empl. training
recruitment.

* States can draw up. 40m a yr. for OJT
purposes

Last yr. 12 states took advantage -
others did not

POTUS
challenge to
Cons.

Maine - creative & innovative
state DOT - & unlimited - Q -
construction -

& now on payroll - was on welfare

Oregon - used OJT funds - 3yr. training
program at community college -
now using state funds

Mayor
Harmon

St. Louis

Regional approach - Francis State
Pres. & City Council & of Gateway
Reg'l. Comm.

1994- 20 yr. plan was developed -
Gov. - Center - mobility - work -
intensive farm wk. work
readiness program.
near light rail system -
placing 200 new workers.

Coop. initiatives - access to jobs,
training, ch. care - Van service -
550 plants - yr. 3.

North redevelopment r.r. corridor -
bicycle trails -
stimulate emp. in environmental
efforts -
Americorps part of it.

Partnership -
co. in next mt. approach -
achieve better but comes -

* Customer-focused planning
process: integ. econ. dev.
transp.
soc. services
improve welfare revs. & jobs

Sustainability - moving families
from hand outs to jobs, assets - pride

East-West
Gateway

regl. approach -

As metro region,
~~under mandat~~

ISTEA defines, rewards &
requires regional cooperation

Metro planning -

Bruce
Reed

> POTUS Commitment.

* '93-EITC - helped millions families
new agmt. protects it.

* Ch. support enforcement -

fathers have responsibility - new laws, \$
50% incr. in child support collections to enforce

* wasn't going to wait - Congress
on welfare reform

reforms were in place in

#2 states before reform let Aug.

860,000 families off of welfare -
moved earliest part - canceled
back - will be left w/ the
toughest challenges -

increase - child care \$ -
new budget agmt. makes
good on promises

* 7/10b - legal immigrants -

* softens some food stamp case
work stat increase

* 3b - jobs - subsidize jobs
in private sector -
states getting 20% more
money

POTUS: 2m people off of welfare in
next two yrs. - everyone
in partnership.

2/3 - new jobs in suburbs
3/4 - those in need are in central
cities
help, get them critical to success

opportunity to consult with the Democrats...or the Republicans." Asked if the White House had given up trying to sell the package to House Democrats like Minority Leader Richard Gephardt and Minority Whip David Bonior, the source said, "it seemed like a bridge was being built this morning."

- o **Transportation Bill Likely Headed Toward Short-Term Extension Of Current Law.** Following a meeting with the House GOP leadership yesterday, it appears House Transportation Committee Chairman Bud Shuster will likely be forced to do a one-year reauthorization of the program and revisit the issue next year.

A House GOP leadership source said that going into yesterday's meeting with Shuster, "The intent was basically to say to Shuster, 'We're not bringing up a bill that breaks the budget agreement.'" By virtually all accounts, that is what happened. Another House GOP leadership source said, "Basically [House Budget Committee Chairman John] Kasich and [Speaker Newt] Gingrich told [Shuster] to go back and rewrite it and come up with a one-year plan, but they're not going to bust the budget caps." The leadership source concluded, "They have their caps set. It looks like we're going to do a one-year thing." A third House GOP leadership source described the meeting as "very cooperative," adding, "We'll do our best to work it out. ... We need to find a way to not break the budget agreement. At some future time, when we know the amount of any future surplus, obviously some of it would be devoted to transportation priorities."

A House Republican source close to the issue said this morning, "It was just a discussion about their opposition to the bill and what had happened." Noting there was an understanding that future year, unexpected revenues might be applied to transportation funding, the source said the "first year of [BESTEA] is within the budget cap set for '98." However, because BESTEA was written as a three-year reauthorization, the source noted, "You'd have to redo the formulas, too, which is the tension in the highway program. ... I might add those [leadership] guys are from states that are on the losing end of the formulas." Continued the source: "Georgia takes a massive hit. They're in the 71 cent range a year."

The source suggested, however, that all the machinations in the House could be pointless, given what is happening in the Senate. According to the source, "The bill that's supposedly moving in the Senate has already drawn two threats of filibusters against it. It hasn't even been introduced." The source said Sens. Frank Lautenberg, Pat Moynihan and Al D'Amato "are the hardest of hard-ball players. This isn't just blowing smoke," and under the formula, "New Jersey and New York lose big time." The source said that in the Senate, there is "a lot longer road to travel. They not only have got to bring the bill -- and they are going to piss off at least 20 states who are on the losing end, and they need 60 votes for cloture -- they've got to go to two other committee for big sequential referrals of titles. One is transit to Banking and Urban Affairs. D'Amato's the chairman and New York gets killed in this bill." Moreover, according to the source, a transportation reauthorization bill has "got to go to McCain's [Commerce] Committee for the highway safety and motor carrier safety, which is always a hell of a contentious issue. So they got to get it through two committees, one of which is chaired by what will probably be an avowed enemy by the time this thing is introduced." With the addition of the Senate situation to the sequential referral to the House Budget Committee, which could take 30 days -- and the House Transportation Committee probably will not have a markup and report filing until around September 22 -- the source concluded, "That propels you towards this one-year bill or an extension."

Already, the source said, some thought is being given to a six- to eight-month extension which might be tacked onto a continuing resolution. The source also noted that the House bill was designed intentionally to avoid the kind of "permanent angst" it appears the Senate is headed towards in its own version of the bill -- said to be a six-year plan that combines the Step 21 and STARS 2000 approaches. Because an extension of the current ISTEA seems increasingly more likely, according to the source, donor states will continue to suffer into next year, while "in 2002 under the budget agreement, the highway trust fund hits an \$81 billion surplus. It's going to dwarf the Social Security trust fund. Americans are not going to stand for that."

Meanwhile, House Republican Conference Chairman John Boehner is expected to outline in a speech this afternoon legislation he intends to introduce next week that would devote any unexpected

revenues collected by the Treasury over the course of the budget agreement to tax relief and/or debt reduction. Asked how the House GOP leadership could promise additional transportation funding to Shuster if there is extra money, while also dropping legislation promising it to tax relief, one House GOP leadership source said that is a "great debate for us all to be having. What do we do with the surplus?" The leadership source added, "As long as we're talking about putting to our priorities, that means Democrats aren't using it for new welfare spending or anything like that."

- o **Albright Begins Mideast Visit With Strong Support For Israel's Security Concerns.** Secretary of State Madeleine Albright arrived in Jerusalem today, where she said in a statement shortly afterward, "I arrived with a straightforward message from President Clinton and the American people: We are with you in the battle against terror and the struggle for security. We are with you in demanding that those who orchestrated the murder of innocent people in the marketplace and the mall be tracked down and punished. We are with you in your insistence that the Palestinian Authority fulfill the responsibilities and obligations it has undertaken. And we are with you in the determination that those who commit terror will not succeed now or ever in preventing the possibilities of peace between Israel and the Palestinians and throughout the Middle East from becoming a reality."

After meeting today, Albright and Israeli Prime Minister Benjamin Netanyahu held a joint news conference in which Albright said, "I do believe that we had very good discussions and reviewed a variety of issues relating to the pursuit of Israeli-Arab peace." Albright said security "is at the center of my agenda," adding: "I will be seeing Chairman Arafat tomorrow, and my message will be clear: It is essential that Israeli-Palestinian security cooperation be serious, sustained and effective. At the same time, the Palestinian Authority must take unilateral steps and actions to root out terrorist infrastructure." While both sides "must shoulder their responsibilities if we are to emerge from the current crisis," Albright said, "Let me be clear: There is no moral equivalent between killing people and building houses. It is simply not possible to address political issues seriously in a climate of intimidation and terror. At the same time, real security depends ultimately on real peace. Achieving this peace turns fundamentally on a political process which meets, through a genuine process of give and take, the needs of both sides." Albright added: "Clearly, Israel also has a responsibility to shape an environment which will give that process a chance to succeed. This means that Israel should be taking steps that build confidence and should refrain from actions that undermine confidence and trust." In his remarks preceding Albright's, Netanyahu once again criticized the Palestinian Authority for not living up to a "commitment to wage an unrelenting war against terrorism. Unfortunately, in the four years that have passed, the Palestinian Authority has done virtually nothing to keep up this central commitment, and as a result, terrorism grew." Netanyahu then promised Albright "that we will do everything to make your visit successful, because your success is the success of the entire peace process which we so fervently desire."

En route to Israel, Albright told reporters she will insist that Netanyahu commit to making further troop withdrawals from the West Bank. US and Israeli officials said Israeli President Ezer Weizman today asked that Albright pressure Netanyahu to make the withdrawal. Israel's Channel 2 TV reported today that Albright will propose a 45-day freeze on the building of Jewish settlements in the West Bank. The Israeli daily Maariv reported Albright will propose "a new code of conduct" to end recriminations and a "political safety net" to guarantee Israeli withdrawals by mid-1998, even if a permanent settlement is not reached.

Albright's public remarks today drew a sharp rebuke from senior Palestinian official Hanan Ashrawi, who said the Secretary began her visit with "a wholeheartedly one-sided approach." Meanwhile, in the West Bank town of Nablus, Palestinian protesters burned a US flag and waved posters of Albright stabbing the Palestinian people. There were also demonstrations in Israel by both left-wing and right-wing groups.

Albright also toured a hospital today where she visited with Israelis and Americans wounded in recent suicide-bombing attacks. Daniel Miller, a 19-year-old Jewish seminary student from Miami who suffered wounds in the legs and eye, told Albright to remember the bombing victims "when you go to embrace Arafat." Albright responded, "I don't intend to embrace Arafat."

The Honorable Robert Livingston
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The purpose of this letter is to provide the Administration's views on H.R. 2169, the Department of Transportation and Related Agencies Appropriations Bill, FY 1998, as passed by the House and by the Senate. As the conferees develop a final version of the bill, your consideration of the Administration's views would be appreciated.

The Administration is pleased with many aspects of the House- and Senate-passed versions of the bill, particularly with respect to funding support provided for transportation safety and transportation infrastructure programs. However, as discussed below, we have concerns with certain aspects of both versions of the bill.

Amtrak

The Administration strongly supports the Senate funding level for Amtrak operations: \$344 million, the President's requested level. In addition, Amtrak requires a total of \$445 million, the President's FY1998 request, for its capital funding and Northeast Corridor Improvement Program. The House provided a total of \$510 million for Amtrak capital and Northeast Corridor improvements while the Senate provided \$273 million, all for the Northeast Corridor. The President's requested capital funding level for Amtrak is necessary to achieve operating cost savings that will improve its financial health.

Essential Safety Operations

Ensuring the safety of the traveling public continues to be a primary goal for the Administration. The conferees are strongly urged to restore funding for Federal Aviation Administration (FAA) Operations and Coast Guard Operating Expenses to requested levels so as not to have an adverse impact on safety.

The House has funded FAA Operations at \$36 million below the requested level. The Senate level, \$5.326 billion, will better enable the FAA to continue to ensure the safe and efficient operation of the Nation's airspace system.

The House's \$32 million reduction to the request for Coast Guard Operating Expenses

comes primarily from Coast Guard staffing levels. These reductions could undermine the Coast Guard's ability to ensure maritime safety as well as to fulfill its law enforcement and national

security obligations. The Coast Guard is implementing a recruiting and retention plan to meet its staffing requirements fully.

Aviation Security

The Administration urges the conferees to fund FAA Research, Engineering, and Development at the President's requested level of \$200 million, midway between the House and Senate marks. The House's \$15 million reduction to the President's request could delay deployment of explosive detection and anti-terrorism technology needed to assure the security of the traveling public at airports nationwide.

In addition, the conferees are encouraged to provide additional funding within the Facilities and Equipment account to accelerate the deployment of security enhancement equipment, with offsets from other infrastructure spending. We also urge the conferees to provide the \$100 million in advance appropriations requested for this equipment in FY 1999 so that continuity can be assured in the procurement process.

NEXTEA

The Administration strongly encourages the conferees to fund subject to ^{authorization} ~~authority~~ several important National Economic Crossroads Transportation Efficiency Act (NEXTEA) programs, specifically, State Infrastructure Banks, the Transportation Credit Enhancement program, and the Access to Jobs and Training program. These programs should be authorized when Congress considers the surface transportation reauthorization. These NEXTEA programs will significantly increase the impact of Federal transportation investment and help to make "welfare to work" a reality. They can be accommodated within the overall funding levels agreed to by the House and Senate.

Coast Guard

The Administration requests the conferees to provide the \$8.3 million requested in the Coast Guard's Operating Expenses account for the FY 1998 protection and maintenance of Governors Island, New York, which the Coast Guard exceded in July 1997. The General Services Administration (GSA) will not have the funds in FY 1998 to assume immediate responsibility for the property. Failure to maintain Governors Island adequately would violate a court-supervised agreement among GSA, the Coast Guard, and the City and State of New York, and would allow the island to be overrun and its historical buildings to deteriorate, possibly reducing revenues that would be realized from sale of the Island in 2002, as called for in the Bipartisan Budget Agreement. Consistent with current property disposal regulations, GSA will budget for the protection and maintenance of the property starting in FY 1999.

Earmarks

The Administration objects to the House and Senate's earmarking of transit projects (68 earmarks in all) for which Full Funding Grant Agreements (FFGAs) have neither been signed nor are expected before the beginning of FY 1998. Neither cost effectiveness nor engineering analyses have yet been completed for many of these projects. Such earmarking would dilute funding for FFGA projects that are either under construction or ready to go. Further, these earmarks create expectations in terms of future funding that may be difficult to meet under the Balanced Budget Act.

Both the House and Senate have provided substantial funding to conduct several earmarked operational tests within the Intelligent Transportation Systems (ITS) program. The Administration believes that these projects should compete on an equal basis with other potential proposals. Furthermore, the ITS program's focus is shifting from operational testing to encouraging integrated deployment. The increase in operational testing funds is, therefore, unnecessary and should be shifted to deployment incentives.

Language Provisions

The Administration opposes the language in the House-passed bill that would prohibit any funds from being used by the FAA to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law. The Administration considers cost-based user fees to be a viable and appropriate means of financing the FAA. Restricting the FAA from developing new user fee proposals is a threat to responsible planning for the future financing of the agency.

The Administration opposes the House provision that would prevent the use of funds by the FAA for the Flight 2000 demonstration program. The Flight 2000 program was recommended by the White House Commission on Aviation Safety and Security and has been endorsed by the airlines to demonstrate the efficiencies and expanded aviation capacity that can result from the use of new technologies to manage air traffic.

The Administration opposes the provision of the House-passed bill that would prohibit any funds from being used for changes in the Corporate Average Fuel Economy (CAFE) standards. The Administration believes that any rulemaking related to CAFE standards should be addressed in an open proceeding in which relevant issues are considered and in which all interested persons and parties are able to participate in fashioning the appropriate outcomes.

Finally, a provision in Title I of the House bill purports to require congressional approval before Executive Branch execution of the Transportation Administrative Service Center provisions in the bill. The Administration will interpret this provision to require notification only,

since any other interpretation would contradict the Supreme Court ruling in INS vs. Chadha.

Additional Administration concerns with the House and Senate versions of the bill are contained in the enclosure.

Sincerely,

Franklin D. Raines
Director

Enclosure

Identical Letter Sent to The Honorable Bob Livingston,
The Honorable David R. Obey, The Honorable Frank R. Wolf,
The Honorable Martin O. Sabo, The Honorable Ted Stevens,
The Honorable Robert C. Byrd, The Honorable Richard C. Shelby,
and The Honorable Frank R. Lautenberg

ADDITIONAL CONCERNS
H.R. 2169 -- DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES
APPROPRIATIONS BILL, FY 1998

(AS PASSED BY THE HOUSE AND BY THE SENATE)

The Administration looks forward to working with the conferees to address the following additional concerns:

Coast Guard

- NEXTEA. Neither the House nor Senate version of the bill supports the Administration's NEXTEA proposals for fully mandatory funding for the Boating Safety program and for funding the Alteration of Bridges program from the Highway Trust Fund. The Administration reiterates its support for these proposals.

Mandatory funding for Boating Safety would put it on equal footing with the Sport Fish Restoration program, which is also funded from the Aquatic Resources Trust Fund and is entitled to funds not spent by Boating Safety. Under the Alteration of Bridges proposal, \$17 million from the Highway Bridge Replacement and Rehabilitation Program (HBRRP) would be set aside annually for the purpose of repairing bridges deemed hazardous to navigation. The funding would be administered in accordance with the Truman-Hobbs Bridge Act, rather than the HBRRP. The Coast Guard would continue to select the projects and determine their funding levels.

Federal Railroad Administration (FRA)

- Pennsylvania Station. The Administration supports the Senate's full funding of the \$23 million request for the Pennsylvania Station Redevelopment Project. The House bill provides no funding for this project. These funds are needed to proceed with the expeditious redevelopment of this vital rail terminal.
- Amtrak capital expenditures. The Administration opposes the provision in the House-passed bill that would prohibit Amtrak from using capital funds to pay debt service. As noted in the Administration's NEXTEA proposal, funds for capital investments are appropriately used to pay expenses related to debt service (i.e., principal and interest).

- FRA Headquarters. The Administration opposes a provision in the House-passed bill that would require FRA to move back into the Nassif Building. This move would not save any rental costs and would entail added expenses for the Department.

Federal Highway Administration

- Motor Carrier Safety Program. The conferees are encouraged to fully fund the Administration's requested \$100 million for the National Motor Carrier Safety Program. The reductions made by the House and Senate, \$14.7 million and \$15.7 million, respectively, would delay the progress the Department of Transportation continues to make in reducing commercial motor vehicle crashes and fatalities. Such reductions would also hobble efforts to improve the program by adopting performance-based criteria to target funds.
- Right-of-Way Revolving Fund. The Administration objects to the funding provided in the Senate bill for the Right-of-Way Revolving Fund. States can already purchase right-of-way under the Federal-aid highway program, which is slated for a significant increase in FY 1998. Further, this program can only be made consistent with the Federal Credit Reform Act through an authorization, which would be more properly considered during the upcoming reauthorization of the surface transportation programs.

Washington Metropolitan Area Transit Authority

- Overall Funding. The Senate-passed bill would reduce the President's request for the Washington Metropolitan Area Transit Authority (WMATA) by \$40 million. The Administration urges the conferees to fund WMATA at \$200 million, the President's requested level and the level provided by the House. The Federal commitment to WMATA ends in 1999, and WMATA is on schedule to complete the 103-mile system. Failure to provide the Administration's request would delay completion of the project and increase costs.

National Highway Traffic Safety Administration

- Airbag Regulation. The Administration objects to the Senate's requirement, as part of report language, to issue a notice of proposed rulemaking on the deactivation of airbags or the installation of an on/off switch for airbags. A notice of proposed rulemaking has already been issued on this subject. Additional proposed rules may be necessary, but the Administration objects to the mandate to issue such a notice. While we commit to reviewing thoroughly the difficult issues surrounding airbag deactivation, a direction to submit a notice by a date certain is

unrealistic and may be unnecessary.

- Youth, Drugs, and Driving Initiative. The Administration supports the House level of funding for the Youth, Drugs, and Driving Initiative. This demonstration program will develop and implement effective pre-licensure drug testing to deter drug use, reduce drug-impaired driving, and promote public safety. The Senate's decision not to fund this program is unfortunate, and the Administration would like to work with the conferees to ensure funding for this program.

Essential Air Service.

- Rescission of Contract Authority. The Administration supports Senate provisions that would rescind \$38.6 million in existing FY 1998 contract authority for the Essential Air Services (EAS) program. The Federal Aviation Administration Authorization Act of 1996 funds EAS through \$50 million per year in mandatory spending. Failure to rescind or limit the existing contract authority would permit this contract authority to be spent. The resulting additional outlays would be scored against the Appropriations Committees.

National Transportation Safety Board.

- TWA 800. To assist the National Transportation Safety Board (NTSB) in its ongoing effort to determine probable cause in the TWA 800 accident, the Administration urges the conferees to ensure that any excess FY 1997 funds are available for FY 1998 expenses related to the TWA investigation. The current limitation on reimbursements to the Navy may prevent the NTSB from making full use of excess FY 1997 funds to further the investigation.

The Honorable David R. Obey
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Obey:

The Honorable Frank R. Wolf
Chairman
Subcommittee on Transportation
and Related Agencies Appropriations
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Honorable Martin O. Sabo
Subcommittee on Transportation
and Related Agencies Appropriations
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Sabo:

The Honorable Ted Stevens
Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The Honorable Robert C. Byrd
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Senator Byrd:

The Honorable Richard C. Shelby
Chairman
Subcommittee on Transportation
and Related Agencies Appropriations
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The Honorable Frank R. Lautenberg
Subcommittee on Transportation
and Related Agencies Appropriations
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Senator Lautenberg:

NEXTEA Message Amplification Events
Planned for September

September 4, 1997

Together with Public Affairs we are planning a series of public message events in September to broaden understanding and support for the President's NEXTEA priorities. With action on ISTEA expected to peak in September, we want it clear that DOT is engaged and helping shape the debate on ISTEA reauthorization.

September 3, Keynote to National Pedestrian Safety Conference - Back to School safety message linked to ISTEA.

September 4, Mort Downey Speech on NEXTEA to Association of Metropolitan Planning Organizations at their annual meeting in Saratoga Springs, New York.

(September 5, Interagency Meeting in White House called by National Economic Council to Coordinate Administration efforts on NEXTEA.)

September 11, Truck Safety Enforcement Event to define the Administration's final NEXTEA safety proposal.

September 15, SASHTO in Little Rock

September 16¹⁶³ White House NEXTEA Urban Event with city and county leaders, and citizens groups with a stake in ISTEA programs and structure which support urban investment, transit, livable communities, EZ-EC, Brownfields, CMAQ and Transportation Enhancements.

September 18, (Tentative based on White House response to scheduling request) Secretary-level Safety Belt event with the Governors or Traffic Safety Directors of the six states at or near the President's goal of 85% compliance. (California and New Mexico 87%, Washington 84%, Oregon and North Carolina 82%, Hawaii 80%)

September 22, APTA Speech at their annual convention in Chicago.

Sub-Cabinet NEXTEA speaking schedule: By Monday we will have pulled together a NEXTEA amplification sub-cabinet speaking schedule for September. I have asked FHWA and FTA for their plans. We need to hear of plans for NHTSA and OST Offices.

BUILDING FOR AMERICA'S FUTURE:

A Summary of the **Building Efficient Surface Transportation and Equity Act (BESTEA) of** **1997**

The BESTEA of 1997 provides a vibrant, adequately funded reauthorization and improvement of America's surface transportation programs. It truly provides the necessary infrastructure framework for building for America's future. The following paragraphs summarize key features of the bill. In summary, the bill....

- Provides Resources to Meet America's Infrastructure Needs
- Establishes Funding Levels that are Fiscally Sound
- Distributes Funds Among States Equitably
- Improves Safety on America's Highways
- Focuses on National Priorities
- Streamlines Program Delivery and Reinvents DOT
- Enhances the Environment
- Provides Flexibility for States and Local Areas
- Benefits Urban and Rural America
- Technology for America in the 21st Century

Provides Resources to Meet America's Infrastructure Needs

- Provides a total of \$103.2 billion for highways, highway safety, and transit over 3 years -- \$85.6 billion for highways and highway safety, and \$17.6 billion for transit.
- For fiscal year 1998, total spending is \$30.3 billion -- \$24.9 billion for highways and highway safety and \$5.4 for transit.
- For fiscal year 1999, total spending is \$34.4 billion -- \$28.5 billion for highways and highway safety and \$5.9 for transit.
- For fiscal year 2000, total spending is \$38.4 billion -- \$32.0 billion for highways and highway safety and \$6.4 billion for transit.
- This represents a 30 percent increase in funding over the final 3 years of ISTEA.

Establishes Funding Levels that are Fiscally Sound

- All of the new spending in the bill is more than paid for by future Highway Trust Fund tax revenues. The bill begins the phase-in of spending the 4.3 cents recently returned to the Trust Fund.
- By fully charging transportation users for the cost of the spending programs, the legislation does not contribute one cent toward expected deficits.
- With the release this week of CBO figures showing that revenues over the life of the budget agreement are \$135 billion above the levels previously assumed, the modest spending increases in this legislation will not affect the path to a balanced budget by 2002.
- When Congress adopted spending assumptions for Trust Fund programs in the budget last May, we did not have the benefit of CBO confirmation of these higher federal revenues.
- The existence of an average of \$27 billion a year in extra revenues provides more than enough funding to responsibly increase Highway Trust Fund spending and restore trust with the traveling public.
- Given the inability of the current budget process to recognize and fulfill the Federal government's promises to those who pay taxes into transportation trust funds, the bill includes the text of H.R. 4, the Truth in Budgeting Act.
- H.R. 4, which restores trust to the four transportation trust funds – Highway, Airport and Airways, Inland Waterways, and Harbor Maintenance – is cosponsored by 245 members, including majorities of both Republicans and Democrats.

Distributes Funds Among States Equitably

- Significantly reforms the ISTEA highway funding formulas to better balance need and fairness.
- Return to donor states greatly improved –
 - Creates a true 95 percent minimum allocation – calculated on basis of all formula programs.
 - Eliminates “historic share” as a formula factor.

- Eliminates “penalty” on discretionary grants for states that receive minimum allocation funding.
- Significantly reforms highway funding formulas to better reflect transportation factors –
 - Updates Interstate Maintenance formula to reflect size and scope of the current Interstate System and to better reflect heavy truck traffic
 - Replaces existing NHS formula (based on historic share) with NHS formula proposed in STEP 21 bill.
 - Retains existing needs-based Bridge Program formula but reforms it to ensure states are accountable for funds transferred.
 - Eliminates existing STP formula used as an equity adjustment to bring states up to their historic share and replaces it with a new formula based on the Administration’s NEXTEA proposal and other needs-based factors.
 - Adopts changes proposed by Administration for CMAQ formula.
- Needs of donee states reflected in retention of ISTEA program structure and needs-based formula factors.
- Formula changes strike a fair balance between donor and donee states –
 - On an average annual basis, 47 states receive at least as much in funding as they received in ISTEA. The reason that three states (Massachusetts, Connecticut, and Hawaii) do not receive as much on an annual basis as they did in ISTEA is attributable to the fact that each of these states received large amounts of Interstate Construction and Interstate Transfer funding. When adjusted for these amounts, all three of these states also receive at least as much or more than they received annually under ISTEA.
 - 35 states (representing almost 400 members of the House) receive at least 90 percent of the highest amount they would have received under ISTEA or STEP 21.
 - Virtually every donor state receives at least 95 percent of what they would have received under STEP 21.

Improves Safety on America's Highways

- Provides an unprecedented commitment to improve safety on America's highways and to help reduce the 40,000 annual deaths from motor vehicles.
- Provides a total of \$2.75 billion for a new formula program to fund safety improvements to high risk roads such as urban or suburban roads with high accident rates. Funding is dedicated to improving safety on these high risk roads and projects may only be eligible if safety is their primary purpose.
- Includes a 50 percent increase in funding for hazard mitigation projects and rail-highway crossing projects.
- Provides a total of \$275 million in dedicated funding for a new border infrastructure and safety improvements program to address safety concerns resulting from NAFTA-related trade.
- Increases funding for the existing safety programs by over 35 percent from FY 97 appropriated levels.
- Provides a total of \$49 million for a new occupant protection incentive grant program, which includes a performance-based approach to reward States with high seatbelt use rates.
- Significantly strengthens drunk driving protections, including increased funding for incentive grants and reforms the program to include performance-based factors and to target those drunk drivers who pose the highest risk on the roads.
- By FY 2000, total NHTSA funding increases by about 73 percent over FY 1997 appropriated levels.
- Improves safety for commercial motor vehicles. The motor carrier safety assistance program has been refined to focus on performance-based goals and funding for this program has been significantly increased. (FY 2000 funding levels are about 90 percent greater than FY 1997 appropriated levels.) The program has also been adapted to permit targeted enforcement of trucks entering the U.S. from Canada and Mexico to ensure that all U.S. safety standards are being met.

Focuses on National Priorities

- Strengthens and emphasizes our Federal commitment to the national systems of transportation that facilitate interstate travel.

- Increases funding by an average of 55 percent for the core Interstate and National Highway Systems. Also increases funding for critical deficient bridges.
- Sets the template for the reconstruction of the Interstate System by eliminating the Interstate Reimbursement program and in its place instituting a High Cost Interstate System Reconstruction program at a total of \$1.875 billion to help States meet extraordinary needs on the Interstate System such as the Woodrow Wilson Bridge in Virginia or the Stevenson Expressway in Chicago.
- Provides \$500 million to aid in the planning and development of multi-State corridors of national significance. This program will help States in the development of corridors to serve new or emerging national needs and facilitate trade, such as the I-69 Mid-Continent Corridor.
- Creates a new Border Infrastructure program to ensure that needs from NAFTA-related trade and safety issues are addressed.
- Strengthens and improves the transit formula and capital programs to provide increased resources to transit agencies to meet the transit needs of urban, suburban and rural areas and to focus resources on transit projects of national and regional significance. Average annual transit funding increases by approximately 40 percent over FY 1997 appropriated levels.

Streamlines Program Delivery and Reinvents DOT

- Improves the delivery of surface transportation programs.
- Completely reforms the project approval process for all States that so desire to virtually eliminate Federal oversight of projects not on the Interstate System, thereby saving time by eliminating unnecessary red tape. DOT resources are focused on extraordinary projects and on the Interstate System.
- Includes a major reform to the environmental review process for highway projects without altering our nation's environmental laws. The process is streamlined to have all necessary environmental reviews occur concurrently where practicable with set time periods for review. The provision also creates an innovative environmental review pilot program to permit the Federal government to delegate environmental review under the National Environmental Policy Act to a limited number of States for a three year period.
- Provides the template for rewarding States for investment in their own transportation infrastructure by directing the development of performance bonuses for States.

- Eliminates an unnecessary step in the project review process by eliminating the Major Investment Study as a stand-alone requirement and integrating it into the NEPA process.
- Requires a financial plan for all highway and transit projects over \$1 billion to ensure that Federal funds are wisely spent.
- Continues the reinvention of DOT by eliminating all decisionmaking authority from the Regional Offices. While offices in each State are maintained, the Federal Highway Administration's regional offices were an unnecessary and wasteful layer of red tape and bureaucracy.

Enhances the Environment

- Continues and strengthens ISTEA's emphasis on the environment.
- Significantly increases funding for the Congestion Mitigation and Air Quality program while making some minor adjustments to the program's eligibility. Funding in FY 2000 is \$1.752 billion, an increase of 75 percent over FY 1997 levels.
- Retains and strengthens the Transportation Enhancements program by increasing funding and adding several worthy transportation enhancement activities. Funding in FY 2000 is about \$700 million, an increase of about 75 percent of ISTEA levels.
- Provides special treatment for the CMAQ and Transportation Enhancements Programs by walling-off existing levels of funding from the new transferability provisions and limiting transferability of increased amounts to 50 percent.
- Significantly enhances the environment by creating a new Transit Enhancements Program to provide dedicated funding for projects to improve the transit experience such as pedestrian facilities and art in and around transit stations.
- Expands the expenses eligible for increased federal reimbursement to vehicle equipment necessary for maintaining compliance with the Clean Air Act.
- Provides additional encouragement to foster the use of alternative modes of transportation such as biking.
- Significantly increases funding for recreational trails.

Provides Flexibility for States and Local Areas

- Builds upon ISTEA's themes of flexibility and local decisionmaking by introducing true flexibility into all ISTEA formula categories. Allows states to meet

programmatic needs by permitting 50% transferability from all highway program categories to any other highway category (although some core protections for certain programs are maintained.)

- Reduces the number and rigidity of ISTEA planning factors to give States and Metropolitan Planning Organizations more flexibility in selecting projects.
- While the importance of the fiscally-constrained Transportation Improvement Program is maintained, allows States and MPOs greater flexibility to illustratively identify where additional resources would be spent.
- Gives greater flexibility for transit authorities and States to spend transit funds and permits a wider range of transit maintenance activities.

Benefits Urban and Rural America

- For urban areas, retains and strengthens ISTEA's provisions by –
 - Providing increased direct funding for urban areas from the Surface Transportation program, empowering Metropolitan Planning Organizations in urban areas to continue as full partners in transportation decisionmaking and project selection,
 - Providing significant additional funding for urban transit systems, and
 - Recognizing the need for funding flexibility for small urban areas and giving those areas flexibility to use their funds for capital and operating expenses.
- In rural areas, the bill continues and builds upon ISTEA's provisions by –
 - Providing dedicated funding for rural areas from the Surface Transportation Program and adding additional flexibility for States to use some of those funds on rural roads,
 - Continuing the off-system bridge set-aside and increasing its funding, and
 - Continuing the partnership between rural and State officials in planning and project selection and exploring ways to further refine that relationship.

Technology for America in the 21st Century

- The bill provides over \$1.3 billion to ensure that America's transportation systems are based on the most up-to-date and innovative technology available.
- Programs are authorized that will improve the quality of pavements and structures thus ensuring that Federal funds for such projects will last longer and be more cost effective.
- Programs are also continued to develop cutting edge technology such as Intelligent Transportation Systems (ITS).

NEXTEA Working Group
September 5, 1997
AGENDA

I. Welfare-to-Work

- A. Update on Legislation
- B. Administration Strategy and Follow Up
 - Response to Shuster bill
 - Mobilizing Senate

II. Other NEXTEA

- A. House Bill ("BESTEA") and Schedule for Action
- B. Status of Senate Bill and Schedule for Action
- C. Will there be an ISTEA reauthorization bill this year?
- D. What's our strategy?

*enhancements
incl. sound
barriers
bikes
graffiti removal
welcome centers*

III. Action Items

- A. Statement on BESTEA
- B. Events (Slater speech, urban briefing)
- C. Strategy Memo for POTUS
- D. Other

*#450
↑
Tues. 16th & 23rd*

*depends
on
mark-up*

*Slater &
Cuomo
County, city
transits -
DBE
W2W*

(U.P.)

envis

OMB - SAP - Interior -

STATE INFRASTRUCTURE BANKS

BUILDING AMERICA'S TRANSPORTATION SYSTEMS FOR THE 21ST CENTURY



JUNE 19, 1997

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- ✓ We also supplied standby lines of credit to secure private financing for California toll roads, supporting \$2.5 billion in construction financing at a cost of just \$18 million, and provided a \$400 million loan to the Alameda Corridor, a dedicated freight rail corridor which will speed shipping from the ports of Los Angeles and Long Beach.

SIBS: HOW THEY WORK

- State Infrastructure Banks (SIBs) are the next step in innovative financing: state-operated funds using federal seed money to encourage additional private and public investment. They can support projects which have access to revenues but which need flexible financial assistance to clear hurdles that otherwise would prevent or delay their implementation.
- SIBs work in much the same way as commercial banks. They make loans, often at low interest rates, offering project sponsors access to a new, low-cost source of capital. SIBs also can provide credit enhancements, such as debt service guarantees, which make bonding and other types of borrowing more affordable. As loans are paid off, or as the exposure implied by credit enhancements expires, a SIB's capital is replenished and revolved to support a new cycle of projects.
- SIBs can offer lower-cost financing than might otherwise be available, flexible repayment terms that can be tailored to a project's revenue stream, or credit enhancements that improve access to, or lower the cost of, debt financing. Because SIB funds are recycled, their benefits -- attracting new investment, lowering project costs, and accelerating construction -- can be realized repeatedly.

STATE INFRASTRUCTURE BANKS SOLUTIONS FOR THE NEW CENTURY

CURRENT INITIATIVES

10 states received approval to start "pilot" State Infrastructure Banks (SIBs) in 1996, and were empowered to use up to 10 percent of their regular federal highway and transit funds to capitalize them. Today's action extends the SIB program to as many as 29 additional states and awards \$150 million of additional federal seed money based on states' commitments to capitalize their SIBs with their regular federal and state funds. This \$150 million in SIB awards could support \$600 million in projects and up to 25,000 jobs. Three SIB loans already have been made:

- ✓ Ohio's bank has made two \$10 million loans to Butler County in support of an upcoming \$100 million transportation bond issue.
- ✓ Missouri's loan to the Springfield Transportation Corporation will enable a \$33 million road construction project to start without waiting for all federal funds to be accumulated. A second loan will finance the project's construction bonds, saving area residents several million dollars in interest costs.

Loans expected to be made soon include:

- An Oregon SIB loan, combined with commercial bank financing, would reduce interest debt on vanpool leases in the Portland area, lowering costs, encouraging ridesharing, and reducing congestion and air pollution.
- The SR 80 Interchange in Palm Beach County, Florida, plans to use an interest-free SIB loan to finance interest costs during construction and the first five years of operation, until revenues are adequate to make the project self-supporting.
- Virginia's SIB plans to support a privately-built and -operated parking deck at the Vienna Metro station. At the end of the lease term, the property and improvements will revert to Metro. In the interim, increased transit ridership should reduce congestion along the I-66 corridor into Washington.

THE FUTURE

NEXTEA, President Clinton's proposal to reauthorize federal transportation programs which expire later this year, would make SIBs permanent, open them to all states, and continue to enable states to use up to 10 percent of their regular federal highway and transit funds to capitalize their banks. NEXTEA also would provide \$900 million in additional federal seed money over the next six years, potentially supporting up to \$4.5 billion in projects and well over 150,000 jobs.



NATIONAL CONFERENCE OF STATE LEGISLATURES

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202-624-5400 FAX: 202-737-1069

From: Name: Marilyn Turnbow, NCSL
Fax Number:
Voice Phone: 202/624-8691

To: Name: Emily Bromberg
Company: White House
Fax Number: 94562889
Voice Phone:

Date and time of transmission: Tue 10/07/97 11:20AM
Number of pages including this cover sheet: 02

Letter to Senator Lautenberg, regarding S. 1173.

Lynn



NATIONAL CONFERENCE OF STATE LEGISLATURES

444 NORTH CAPITOL STREET, N.W. SUITE 515 WASHINGTON, D.C. 20001
202-624-5400 FAX: 202-737-1069

October 6, 1997

Honorable Frank R. Lautenberg
United States Senate
Washington, DC 20510-3002

RICHARD H. FINAN
PRESIDENT OF THE SENATE
OHIO
PRESIDENT, NCSL

ANNE C. WALKER
CHIEF CLERK-ADMINISTRATOR
MISSOURI HOUSE
STAFF CHAIR, NCSL

WILLIAM POUND
EXECUTIVE DIRECTOR

Dear Senator Lautenberg:

The Senate will soon take up S. 1173, the Intermodal Surface Transportation Efficiency Act of 1997, or ISTEA II. This legislation continues our critical highway, mass transit, and public safety programs. As reported from committee, the legislation falls substantially short of the National Conference of State Legislatures' (NCSL) major transportation policy objectives. Unless S. 1173 is amended dramatically, we strongly urge that the current Intermodal Surface Transportation Efficiency Act (ISTEA) authority be extended for six months, as proposed in H.R. 2516.

NCSL firmly believes that the successor to the existing ISTEA requires increased funding through enhanced use of transportation fund revenues. S. 1173 provides only marginally higher transportation funding that will not aggressively address identified transportation needs. There is also some question, at present, as to whether S. 1173's highway funding levels will guarantee every state at least a 90% return on its gas tax dollar.

S. 1173 also fails to meet NCSL's transportation policy objectives in three additional areas:

- (1) It does not grant the highway, aviation, and two other transportation trust funds off-budget status.
- (2) It contains sanctions and mandates for those states that do not enact legislation regarding repeat DUI offenders and corresponding blood alcohol levels. This is an unfunded mandate.
- (3) We have long sought increased flexibility for addressing individual state needs through the myriad of transportation-related programs. S. 1173 only marginally increases flexibility in some areas, while constraining it in others.

The nation's legislators encourage you to revise S. 1173 so that we can enhance our cooperative efforts to address our nation's public infrastructure and safety needs. Identified transportation needs are significant and, therefore, demand use of all of our transportation funds produced by user fees. We also urge you to delete any unfunded mandates and/or sanctions included in S. 1173, and to resist any floor amendments that would compromise state flexibility or impose further sanctions or unfunded mandates upon states. Without action on all of these items that we have outlined, we strongly feel that the reasonable course to follow would be a short-term extension of current ISTEA authority.

Thank you for your consideration of our views.

Sincerely,

Senator Richard Finan
President of the Ohio Senate
President, NCSL

TALKING POINTS

Chairman Shuster's Transportation Authorization Bill: The Building Efficient Surface Transportation and Equity Act of 1997

September 16, 1997

Background:

- The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA, commonly pronounced like "ice tea") will expire on September 30.
- Thus, Federal transportation programs require another authorization.
 - This past spring, the President proposed his National Economic Crossroads Transportation Efficiency Act of 1997 (NEXTEA).
 - Chairman Shuster recently proposed his answer to NEXTEA, his Building Efficient Surface Transportation and Equity Act of 1997 (BESTEA).
 - The House Transportation and Infrastructure Committee plans to begin marking up the Shuster bill on Wednesday (tomorrow).
 - Secretary Slater transmitted the Administration's views in a September 9 letter to Chairman Shuster (see attached).
 - The Administration is currently clearing another Slater letter, which could go out as early as later today.

Major Points:

- We are very concerned about two provisions of the Shuster legislation with major budget implications:
 - First, the spending levels of BESTEA exceed the transportation spending levels in the President's bipartisan budget agreement with congressional leaders from May.
 - Those levels, by the way, already would:
 - substantially increase transportation spending, and
 - treat transportation as one of only five protected "functions" of the government, with guaranteed spending levels for the next five years.

-- In essence, Chairman Shuster proposes to take the five years of transportation funding in the May agreement and spend this amount on transportation in just the next three years.

-- We shouldn't be breaking the budget agreement, especially before the ink on it is barely dry.

-- That will only invite other efforts to break it, thus raising prospects that the deal itself will unravel.

-- Second, we strongly oppose the provision that would remove the transportation trust funds from the budget.

-- That action could force us to cut other programs more deeply if we are to stick to the budget agreement and our commitment to reach balance by 2002.

-- Thus, they would threaten such important priorities as education and training, the environment, and science and technology.

-- The Administration has consistently opposed efforts to move the transportation trust funds "off-budget."

• Also expressing opposition to these budget provisions are:

-- The Republican chairmen of the House and Senate Budget Committees, and

-- The Concord Coalition.

Other points:

• For other aspects of BESTEA that we like, and that we don't, please see Slater's September 9 letter.

(Haas)



THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

September 9, 1997

The Honorable Bud Shuster
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

As the Subcommittee on Surface Transportation begins consideration of H.R. 2400, the Building Efficient Surface Transportation and Equity Act of 1997, I would like to offer the Department of Transportation's comments on several major provisions of this crucial legislation. With the September 30 expiration date of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) fast approaching, I applaud your efforts to advance reauthorizing legislation this month. I share your commitment to reauthorization and look forward to working with you to craft a multi-year bill that will enable our Nation to continue operating a safe, efficient, and environmentally sound surface transportation system to lead us into the next century.

I am pleased that your bill includes many of the provisions that the President advanced last spring in our National Economic Crossroads Transportation Efficiency Act of 1997 (NEXTEA). There is much that we agree on. For instance, like NEXTEA, the House bill builds on the successes of ISTEA by retaining ISTEA's basic program structure, a commitment to safety, the core planning and environmental provisions, including the Congestion Mitigation and Air Quality Improvement Program and transportation enhancements, and support for Intelligent Transportation Systems technologies. The House bill's provisions for minority- and women-owned businesses parallel those in our NEXTEA proposal and will ensure that we can continue to provide opportunities for these businesses in the multi-billion dollar transportation construction industry. The trade corridors and border crossings provisions of the Committee's bill are much like those in NEXTEA and will ensure that transportation remains a strong component of our healthy economy for all regions of the Nation.

There are, however, several major provisions in the bill that raise serious concern. First, the President has insisted that authorization and appropriations legislation remain within the bounds of the carefully-crafted, bipartisan budget agreement reached earlier this year. I must note that the spending levels called for in H.R. 2400 are not consistent with that agreement. Further, the Administration strongly opposes removing the transportation trust funds from the unified Federal Budget. Taking the trust funds off budget would undermine our shared

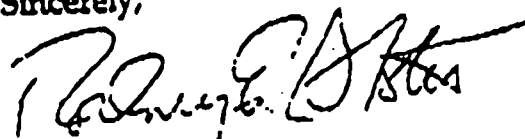
national objective to achieve a balanced budget and could force cuts in other important programs funded from the General Fund. The Administration also opposes setting aside \$4.3 billion in mandatory spending for so-called "high priority" projects. The Administration believes that States and localities, through existing planning procedures, are best able to determine their priorities and therefore this earmarking is inappropriate. In addition, since the bill does not include a paygo offset for this increased mandatory spending, it would cause an across-the-board sequester of all other mandatory programs.

In addition, I should alert you to several other major concerns about H.R. 2400. Among these, we would like to see changes made so that the legislation: (1) builds on ISTEA's commitment to intermodalism and provides additional innovative financing tools; (2) allows the States the flexibility to choose to invest their Federal surface transportation funds to support publicly-owned rail passenger and rail freight facilities; (3) authorizes additional resources for the welfare-to-work program so as to support welfare reform efforts and meet the tremendous national need; (4) avoids selective exemptions from Federal motor carrier safety standards; (5) further strengthens the ISTEA planning process, especially with respect to the role of central cities; (6) implements an incentive program to combat drugged driving; (7) encourages the States to improve their seat belt usage rates to 85% or enact primary seat belt laws; (8) streamlines Federal approval procedures without sacrificing or delegating to other levels of government the existing legal obligations of Federal agencies; (9) removes the cap on transit preventive maintenance; and (10) provides needed support for research and technology deployment, including cooperative research tools, and strategic and intermodal research and development. We want to provide you with more detailed comments next week, prior to action by the full Committee.

I look forward to working with you and with the Committee to address these concerns and to ensure passage of a surface transportation bill that reflects our shared commitment to the principles of safety, intermodalism, maintenance, and environmental protection that best serve all Americans. H.R. 2400 is a strong effort to reauthorize critically needed programs, and I appreciate the Committee's hard work and determination to achieve reauthorization as expeditiously as possible. I also look forward to working with you on much-needed legislation to reauthorize and reform Amtrak so as to continue the availability of its service to the American public.

The Office of Management and Budget advises that it has no objection to the submission of these views from the standpoint of the Administration's program.

Sincerely,



Rodney E. Slater

ISTEA: An Infrastructure Program for the 21st Century

America's prosperity and economic growth depends on many factors. Near the top of the list is our nation's physical infrastructure.

One reason we became a world economic power is because we made various types of public investments in ports, canals and railroads. In the last half of the 20th century, we prospered even more by investing in a good network of highways, bridges and transit systems.

Around the globe, the nations that are prospering are those that invested in well-planned physical infrastructure.

While the federal government has long been involved in some parts of developing, improving and maintaining our nation's physical infrastructure, the federal role in building and funding roads and highways was almost non-existent until after World War II.

Very few of us in the "Baby Boomer" generation know that paved roads beyond major urban centers were unusual before World War II. A single significant and still almost unknown event eventually awoke America to



Randy Johnson
NACo President

the need to build a federally-funded road system. After World War I, a young Army captain was assigned the military task of seeing how long it would take to move a military convoy by road from Washington, D.C. to San Francisco because military leaders thought the rail system of moving personnel and supplies was too vulnerable to sabotage and aerial bombing.

The journey by road took nearly three months. The young Army cap-

tain reported back that our nation needed a paved national highway system. That young Army captain, by the way, went on to work to build that national highway infrastructure when he moved into politics. His name was Dwight David Eisenhower.

Gradually, following "Captain" Eisenhower's foresight and determination, we have developed a federal/state/local highway partnership.

One of the best examples of how the partnership works is the Intermodal Surface Transportation Efficiency Act (ISTEA). This federal program will distribute to local and state partners approximately \$25 billion in FY97 — more funds than have ever been provided by the federal government for surface transportation. ISTEA has existed for six years and expires on Sept. 30, 1997.

NACo policy supports reauthorization of the ISTEA program in its current form with some adjustments. Quite simply, Republicans and Democrats, liberals and conservatives, almost unanimously agree that ISTEA is one federal program that has worked pretty well. Three programs that pro-

vide funds to counties — the surface transportation program, the bridge program and the transit program — especially need to be retained.

County officials support the additional flexibility in funding that is included in the re-authorized ISTEA as proposed. Funding also should be increased for highways, bridges and transit by spending down the balances in the Highway Trust Fund. The recently enacted tax bill transferring 4.3 cents in gas tax from the general fund to the trust fund is a positive step.

ISTEA must provide an even greater role for county officials in deciding which projects should be funded in their communities.

The three big issues are: 1) determining how much money will be allotted for ISTEA; 2) developing the formula for dividing funding each state receives; and 3) deciding the structure of the highway and transit program. With \$180 billion in play, a lot of negotiating and politicking continues. The differences between the various ISTEA proposals are summarized in the table below.

Neither the Senate nor House com-

mittees with jurisdiction over ISTEA have finalized legislation. Therefore it appears unlikely that ISTEA will be reauthorized prior to its expiration on Sept. 30. The process probably will continue until the end of the year.

With so much riding on the outcome of the ISTEA legislation, we as county officials need to remind our congressman and senators that county highways, bridges and transit systems are key to genuine economic growth and mobility in our communities. Remind them that an ISTEA program that retains the existing program structure, increases funding, and provides for more input by urban and rural county officials in the project selection and planning process is the best path to a better, more efficient infrastructure.

ISTEA works. Now is the time to make sure your congressman and senators know how important it is to lay the groundwork for jobs and prosperity in your county.



Looking for Information on Welfare Reform?

- The Welfare Information Network (WIN) provides local officials and their staff with rapid access to:
- legislative summaries
 - federal guidance
 - policy analyses and studies
 - promising practices
 - welfare related web sites and publications
 - experts and technical assistance providers
 - a calendar of welfare related events.

WIN is a foundation-funded project to help states and communities obtain information and technical assistance to implement welfare reforms that will reduce dependency and promote the well-being of children and families.

To access information, see WIN's web site at:
www.welfareinfo.org

You also can contact WIN directly by:

Phone: 202-628-5790
Fax: 202-628-4206
E-mail: welfinfo@welfareinfo.org

Law or Proposal	Highway Funding	ISTEA Program Structure	Bridge Program
Current law (PL 102-240) "ISTEA"	Authorizes about \$20 billion annually for all highway accounts. Northeastern and many Western states receive a high percentage of the funding.	ISTEA provides for a number of highway programs, including the STP, NHS, Interstate Maintenance, and CMAQ.	Provides funding to states based on deficient bridges and includes off-system bridge program.
S. 468; H.R. 1268, President Clinton's proposal "NEXTEA"	Would authorize about \$23 billion annually, although Clinton's fiscal 1998 budget proposal would keep spending at \$20 billion. Northeastern and many Western states would remain favored.	Retains all ISTEA programs.	Continues current bridge program, including off-system bridge program.
S. 335, sponsored by Sens. John Warner (R-Va.) and Bob Graham (D-Fla.) "STEP 21"	Would authorize \$26 billion yearly for highways. A greater percentage of money would go to Southern and many Midwestern states.	Restructures ISTEA programs into two categories—NHS and STP.	Bridge program eliminated. Incorporated as eligible activity in revised NHS and STP programs and no off-system bridge program.
H.R. 674, sponsored by Rep. Tom DeLay (R-Texas) and Gary A. Condit (D-Calif.) "STEP 21"	Funding would be set by a fiscal 1998 budget resolution. A greater share of money would go to states in the South and Midwest.	Restructures ISTEA programs into two categories—NHS and STP.	Bridge program eliminated. Incorporated as eligible activity in revised NHS and STP programs and no off-system bridge program.
S. 532, sponsored by Sens. Max Baucus (D-Mont.) and Dirk Kempthorne (R-Idaho) "Stars 2000"	Would authorize about \$27 billion yearly for highways, with more money going to Southern and Midwestern states.	Restructures ISTEA programs into two categories—NHS and STP.	Bridge program eliminated but states must spend an amount equal to their FY97 federal bridge apportionment on bridges. Off-system bridge set aside continued.
S. 586, sponsored by Sens. Daniel Patrick Moynihan (D-N.Y.) and John Chafee (R-R.I.) "ISTEA WORKS"	Would authorize about \$26 billion yearly for highways, with a large percentage of money continuing to go to northeastern states and many Western states.	Retains all ISTEA programs.	Continues current bridge program, including off-system bridge program.

Lawmaker Takes Highway to Power

By RICHARD L. BERKE

WASHINGTON, Sept. 24 — Representative Bud Shuster says he has witnessed some "pretty heady stuff" in his 24 years in Congress, like flying into jungles with Jonas Savimbi, the Angolan rebel leader, and crossing the Khyber Pass with the mujahedeen guerrillas.

But his constituents could not care less about Mr. Shuster's adventures as a senior member of the Intelligence Committee. The majestic Khyber Pass? They are more interested in underpasses — and cloverleaves, connectors, bridges and tunnels.

"We're not talking here about Bosnia, or about who slept in the Lincoln Bedroom," Mr. Shuster said. "We're talking about what affects virtually every American. It's the ultimate quality-of-life issue."

Mr. Shuster's passion for the decidedly passionless subject of asphalt is easily understood: As chairman of the House Transportation and Infrastructure Committee, Mr. Shuster has doled out money for so many projects in his colleagues' districts, not to mention the Bud Shuster Highway and Bud Shuster Byway in his district, that he has become one of the most powerful figures on Capitol Hill. And he has risen thus far, despite ongoing inquiries into whether some of his actions were legal and ethical.

Only today, after a weeklong struggle with Speaker Newt Gingrich over a budget-breaking road bill, Mr. Shuster was blocked — or at least detoured — from his project to repave America. His massive, three-year \$103 billion transportation package would have breached the balanced-budget bill by at least \$30 billion, only weeks after it was signed.

But in a demonstration of Mr. Shuster's clout, Mr. Gingrich was unable to declare a full victory. Instead, he offered, and the Transportation Committee approved today, a compromise in which spending will remain at current levels for six months, and then Mr. Shuster's proposal will be reconsidered.

In an era of belt-tightening in the capital, when committee chairmen no longer hold sway as they once did, a defiant Bud Shuster stands not only as a grand purveyor of pork, but also as a reminder that some things have not changed. The key to Mr. Shuster's leverage is not that he is chairman of a committee — it is that he is chairman of the 73-member Transportation Committee, the largest in Congress, and he knows how to use the platform to build a power base.

That is made easier by the fact that beyond his home district in hilly Altoona, Pa., Mr. Shuster can distribute booty to every state, winning the allegiance of many of his colleagues. (His largesse helps explain why the 65-year-old Congressman's most serious competitor in years was Nancy Kulp, who played a secretary on "The Beverly Hillbillies." He trounced her in the 1984 contest.)

"It represents an old way of doing business here on Capitol Hill," said Representative John A. Boehner of Ohio, chairman of the House Republican Conference.

Until 1994, when the Republicans took over the House, the committee had the pork-barrel-sounding name of Public Works and Transportation. Yet even with the name change, Mr. Shuster's success is a reminder that dispensing "pork" is hardly out of fashion. In a Congress where both parties cannot even seem to agree to disagree, the members of Mr. Shuster's panel behave like a happy family, bound by old-fashioned public works projects to transcend ideology.

"There's no such thing as a Republican or a Democratic road or airport or bridge," Mr. Shuster said in an interview in his Capitol Hill office, decorated with two prominent green replicas of the "Bud Shuster Highway" sign. "These are American assets. We're building America."

Challenging the stereotype of the free-wheeling, barrel-chested chairman, Mr. Shuster is a fitness buff who favors crisply starched shirts (always white) and well-tailored suits, and he does much of his business not over martinis but while pumping iron in the House gym. His demeanor is friendly, rather than that of an intimidating power broker.

But critics argue that Mr. Shuster's approach has less to do with rebuilding unsafe roads and more to do with reward and punishment.

"He's the crown prince of pavement pork," said Thomas A. Schatz, president of Citizens Against Government Waste. "He's an example of the kind of abuse that can still occur. There's lobbyists running all over the capital pushing his stuff."

While Mr. Shuster said he was constrained by formulas that help dictate who gets how much transportation money, he acknowledged that he sometimes had significant discretion. For example, he said two lawmakers from bordering states were in a "bloody fight" because each one wanted a new highway to go through his state and not the other. But he said he gave the project to one, because the person had been "very

A plan to repave America reflects a panel chairman's strength.

supportive of us," was "a good guy" and "cares about transportation." He also said that by choosing that lawmaker, he will have "negotiating bait" when the details are worked out.

Despite his successes, Mr. Shuster, who made a fortune building a computer business before coming to Congress, is facing mounting pressure from deficit hawks in his own party who are unwilling to be romanced by the prospect of new projects for their districts. These tensions are bound to surface repeatedly now that there is a balanced budget deal. No one knows whether lawmakers will completely support the budget deal or whether they will back projects that could win them favor with voters.

As an example, Representative Joe Scarborough, a Florida Republican who was elected in 1994, conceded that his state would draw far more transportation money if Mr. Shuster's bill passed. But he said he was willing to resist the projects if that would help balance the budget.

"I think he thinks we're from Mars, from another galaxy," Mr. Scarborough said of Mr. Shuster. "But even if we had a Joe Scarborough Memorial Highway from Key West to Pensacola, I'd have to vote against it if it didn't stay within the budget numbers."

Mr. Shuster, who has a Ph.D. in management and economics, insists that he cares about the deficit as much as anyone. But he contends

that it is only fair that transportation projects get full funding because billions of dollars in special gasoline and other taxes were pumped into "trust funds" designated for transportation projects. But those funds are running a large surplus and the extra money has been used to mask the true size of the Federal deficit.

Mr. Gingrich's refusal to accede to Mr. Shuster's wishes was somewhat surprising given that the Pennsylvanian was one of the Speaker's staunchest defenders during the attempt to topple him in July.

"He was forceful," Mr. Shuster said of a showdown he had with Mr. Gingrich last week. "He said, 'Dammit! You can't break the budget. I can't let you move this bill now.'"

"I said, 'Newt, America's crumbling!'" Mr. Shuster recalled.

Mr. Shuster said Mr. Gingrich never directly threatened his chairmanship. But senior Republicans who are familiar with the conversation said the Speaker left no doubt that he would have taken such a step.

In six months, when the House again takes up Mr. Shuster's giant road-building program, he may have more to worry about than Republican resistance. He is being investigated by a Federal grand jury in Boston in connection with the multimillion-dollar tunnel and road project there known as the "Big Dig." Investigators are said to be examining whether Mr. Shuster and his former longtime aide, Ann Eppard, used their influence to obtain favorable terms for two contributors whose property lay in the way of the project.

The Justice Department is also examining whether a tangle of legislative, financial, political and personal ties between Mr. Shuster and Ms. Eppard may violate laws prohibiting giving or receiving gratuities for official favors. After 22 years as his top aide, Ms. Eppard left Mr. Shuster's office to start a lobbying firm in 1994, and has since earned hundreds of thousands of dollars, often lobbying for the interests of the Congressman's contributors. Mr. Shuster refused to discuss the accusations.

But Mr. Shuster has a history of never backing down. A few years ago, Senator Bob Graham, a Democrat from Florida, described Mr. Shuster's transportation projects as "little piglets" that had grown into "giant hogs." In response, Mr. Shuster blocked 14 demonstration projects in Florida.

"I said, 'Wait a minute: If you're against projects, fine, we won't have any projects in Florida,'" Mr. Shuster recalled. He said Mr. Graham made amends and the projects were restored.

This year, Mr. Shuster has a warning for the fiscal conservatives who are squawking that his projects would wreck the budget agreement: It is only human nature that he would not be as inclined to fund projects in their districts.

"I'm not a saint," he said.

THE UNIONS

Teamsters Scandal Dampens Celebration of Labor's Revival

By STEVEN GREENHOUSE

PITTSBURGH, Sept. 24 — The A.F.L.-C.I.O.'s convention here has largely been a celebration of labor's revival since John J. Sweeney took the federation's helm two years ago, but the party has been marred by an unwelcome distraction: the teamsters scandal.

In the convention hall, during the boat ride for the delegates and at the block party, there has been murmuring aplenty about the scandal, in which three campaign aides to Ron Carey, the president of the International Brotherhood of Teamsters, have pleaded guilty to illicit fund-raising during his re-election campaign.

Many labor leaders acknowledge that the teamsters' problems have dampened the delegates' spirits and distracted attention from the revival message that Mr. Sweeney is emphasizing.

"It is depressing," said Michael Goodwin, president of the Office and Professional Employees International Union. "It's taking the spotlight from where it should be, which is: Unions are back and changing the nation's agenda."

Among union leaders, there is surprise and frustration that the teamsters have been hit by a scandal after

Mr. Carey earned a reputation for fighting corruption, in part by placing more than 70 corrupt locals into trusteeship. And now, after a Federal official overturned Mr. Carey's re-election and ordered a rerun, Government officials are considering barring Mr. Carey from running again. That decision hinges on whether the officials conclude that Mr. Carey encouraged or participated in the illegal fund-raising in his campaign against James P. Hoffa, son of the former teamsters leader Jimmy Hoffa. Mr. Carey denies any knowledge of or participation in illegal fund-raising.

"I know a lot of these people, and I don't believe they'd do it," said Douglas H. Dority, president of the United Food and Commercial Workers.

Other union leaders still support Mr. Carey, whom they praised just weeks ago for leading 185,000 United Parcel Service workers to labor's biggest victory in more than a decade. Indeed, one of the emotional high points at the convention today was a standing ovation by the 900 delegates for 100 United Parcel workers — and Mr. Carey.

Many leaders here say they do not relish the prospect of Mr. Hoffa as the teamsters' president because

'It's taking the spotlight from where it should be.'

they fear he has ties to the Mafia, which he has repeatedly denied.

Officially, Mr. Sweeney and the other leaders here have ignored the teamsters scandal and have tried to focus on fighting new free-trade legislation, pushing for Federal campaign finance changes and redoubling efforts to recruit millions of Americans as union members.

Asked about the teamsters' scandal, Mr. Sweeney said, "Anything that distracts from our core message is bad, but we're not going to allow that to happen."

At today's session, the delegates re-elected Mr. Sweeney to a four-year term, Richard Trumka as secretary-treasurer and Linda Chavez-Thompson as executive vice president. The delegates also voted to double the length of the leadership's terms, to four years from two years.

Accusations made last week by one Carey aide who pleaded guilty, Martin Davis, have made it harder

for leaders of the American Federation of Labor and Congress of Industrial Organizations to shrug off the teamsters affair.

Mr. Davis, a fund-raiser for Mr. Carey, said he had worked with Mr. Trumka to arrange for the teamsters to donate \$150,000 to the labor federation. The federation then gave \$150,000 to Citizen Action, a grass-roots group, Mr. Davis said, to promote its get-out-the-vote effort in last year's Congressional elections, but Citizen Action gave \$100,000 of that money to finance a mass mailing to re-elect Mr. Carey.

Mr. Trumka, who has declined to comment on accusations that he was involved in the teamsters fund-raising scandal, has been crisscrossing the country to help workers in dozens of labor disputes, and received resounding backing in the convention. Cecil Roberts, who succeeded Mr. Trumka as head of the mine workers' union, said, "No one can question the content of Richard Trumka's character."

The A.F.L.-C.I.O. announced today that it had set up a committee of prominent Americans to investigate the nation's longest running strike, a six-year walkout by 550 workers at the Frontier Hotel and Gambling Hall in Las Vegas, Nev.

Ex-Clerk Sentenced To 18 Years as Spy

PHILADELPHIA, Sept. 24 (AP) — A former Army clerk at the National Security Agency who pleaded guilty to spying for the Soviet Union three decades ago was sentenced today to 18 years in Federal prison.

The former clerk, Robert S. Lipka, 51, pleaded guilty in May to one count of conspiracy to commit espionage. Judge Charles R. Weiner of Federal District Court here handed down the maximum sentence allowed under the plea agreement.

Mr. Lipka, who was trained as an intelligence analyst, had top security clearance with the N.S.A. at Fort Meade, Md., where he was responsible for distributing and destroying classified documents.

From September 1965 to August 1967, he photographed documents with a camera provided by the Soviet agents and dropped off the film in a park for payments of up to \$1,000 a drop, Government affidavits said.

Senate Transit Proposal Sets Aside \$900 Million For New Wilson Bridge

By Richard Tapscott
Washington Post Staff Writer

A bipartisan transportation funding proposal unveiled by Senate leaders yesterday would set aside \$900 million over the next six years to replace the Woodrow Wilson Bridge.

The measure, partly fashioned by Sen. John W. Warner (R-Va.), contrasts starkly with a House plan disclosed last week. The House bill would require Virginia, Maryland and the District to take control of the federally owned span without guaranteeing specific funds for a new bridge.

"It's a federal bridge, and we will work with the secretary of transportation to see that the federal government replaces it," Warner said yesterday.

The Senate bill also requires that the local jurisdictions or a regional authority take the bridge over before reconstruction could start, but it guarantees funding for that project.

The varied approaches to replacing the deteriorating bridge over the Potomac River are but one major difference between the Senate and House as they consider funding for the nation's highways and bridges. The current highway bill expires Sept. 30.

The Senate bill, outlined for the first time yesterday by Sen. John H. Chafee (R-R.I.), chairman of the Committee on Environment and Public Works, calls for spending \$145 billion over six years, a level that would keep spending within the rates set by the Balanced Budget Act. The House measure calls for spending \$103 billion over three years—at least \$34 billion more than the balanced budget agreement set.

And although the measure proposed by Republican and Democratic leaders of the House Transportation and Infrastructure Committee includes funding for transit systems, the Senate proposal does not.

If the Senate and House cannot work out their differences, an interim measure would have to be approved before Congress recesses in the fall.

The Senate highway funding formula would shift some federal aid away from the Northeast and toward the growing states of the South, West

and Midwest. It would require that at least 90 percent of the federal highway taxes generated in the state would go back to the state in aid.

Virginia would get an average of \$564 million annually under that formula, compared with \$415 million a year during the last six years. Maryland would get \$332 million, compared with \$306.8 million; and the District would get \$99 million, compared with \$92.1 million.

Washington area leaders were incensed last week when House committee chairman Bud Shuster (R-Pa.) proposed the region take title to the Wilson Bridge and then compete with other states for funding to replace it.

They were happier with the Senate measure, though it still falls short of the \$1.6 billion it is expected to take to build a proposed 12-lane, 244-foot-wide span that many area leaders had been pushing.

"That's not enough," said Virginia Secretary of Transportation Robert E. Martinez. However, Martinez added that he is confident Warner, as chairman of the subcommittee on Transportation and Infrastructure, will look out for the region's interests.

A spokesman for the Maryland Department of Transportation said officials had not reviewed the Senate bill and could not comment on it.

Warner noted that the \$900 million is to be spent over six years, adding that the Wilson Bridge project, more than five miles long and encompassing interchanges in Alexandria and Prince George's County, will take longer than six years to complete.

Rep. James P. Moran Jr. (D-Va.), who has supported a scaled-down replacement bridge, said the money in the Senate bill "is enough to build the bridge the region needs," according to Moran's press secretary, Jim McIntyre.

FOR MORE INFORMATION

To read the full text of the House version of the transportation bill, click on the above symbol on the front page of The Post's Web site at www.washingtonpost.com

The Washington Post

FRIDAY, SEPTEMBER 12, 1997

Senate Backs Modified Plan For National Student Tests

Separate Action Would Shift Education Funds to Block Grants

By Rene Sanchez
Washington Post Staff Writer

The Senate yesterday expressed overwhelming support for President Clinton's plan to have students take national tests in reading and math, giving him an important political victory for a controversial proposal he wants to make a hallmark of his second term.

But the decision came during a day of tumultuous battle in Congress over the federal government's role in education that crossed party lines and left the White House worried about the fate of many of its other initiatives for schools.

In a separate vote, the Senate also decided 51 to 49 to make a radical change in how the nation's schools can use billions of dollars in federal education aid, shifting funding decisions away from the federal government to the states.

On national testing, which would be an unprecedented step in American education, the Senate decided 87 to 13 to support a modified version of Clinton's plan. It would shift control of the new tests from the Education Department, as the president originally had proposed, to an independent board.

The vote sets the stage for a showdown with the House over the issue. But White House officials said they are confident the strength of the Senate's support will salvage the tests even if, as some expect, lawmakers in the House vote to kill the tests by banning federal funding even to develop them.

Clinton said the Senate's action "will help parents to ensure that their children will master the basics of reading and math.... This is very, very good news."

The proposal to change how schools get federal funding, introduced by Sen. Slade Gordon (R-Wash.), would convert more than \$11 billion that the Education Department now targets explicitly for such purposes as providing poor students extra educational aid, or improving classroom technology and teacher training, into open-ended block grants that state and local school districts could spend however they choose.

Gordon said the change would give federal money directly to officials who know best how to use it in classrooms and would reduce federal meddling in schools. "This vote represents a triumph for the nation's education system," he said.

But Education Secretary Richard W. Riley warned that the Senate's action, which he called a "backdoor attempt to kill the Department of Education," also would abolish many vital programs for students, including Clinton's Goals 2000 grants for school reform.

Even as they denounced that vote, White House officials said they were overjoyed—and relieved—that the Senate decided to embrace the new national tests, which would be given on a voluntary basis by the states. In recent weeks, the future of the proposal, which has divided many educators, had seemed bleak.

But a compromise hammered out over a week of negotiation with the administration won it more than enough support in the Senate. The compromise requires that the tests be managed entirely by the National Assessment Governing Board, an independent, bipartisan agency created by Congress in 1988. As part of the deal, the makeup of the 25-member board, which oversees other tests, also will change.

Two mayors, one from each major party, will be added to the panel and so will several more representatives from business and industry. A third governor, chosen from whichever party does not control the White House, also will join the board.

Sen. Dan Coats (R-Ind.), initially a staunch opponent of the testing plan, said the administrative changes demanded by the Senate alleviated the fears that he and other lawmakers had about it.

"A voluntary national test, which states and parents may choose to participate in, will give parents another tool... to measure their children's academic achievement and hold local schools accountable," Coats said.

Giving students national tests is a common practice in many other nations, but in this country schools rely only on state or local tests to gauge how students are performing in class. Many educators and business leaders, however, say those tests vary too widely, lack rigor and often have no consequences for those who fail.

Clinton contends the tests would give the nation a much better picture of how schools are faring and encourage educators to demand more from students. But in recent weeks the proposal has come under attack by a politically diverse collection of critics.

Some liberal lawmakers say the idea could unfairly stigmatize poor, minority students stuck in disadvantaged schools, and some conservatives fear the tests would invite too much federal intrusion into classrooms. Some educators, meanwhile, say the goals of the tests are too vague, or argue that students are already tested too much.

At this point, only seven states, including Maryland, and 15 of the nation's largest urban school systems—the District is not among them—have agreed to use the tests. Many governors remain skeptical of the idea. Persuading them to adopt the tests may be difficult for Clinton, even with congressional backing.

The administration has been moving swiftly this summer to develop the tests; Clinton has proposed that schools begin using them in 1999. Fourth-graders would be tested in reading and eighth-graders would be tested in math under the president's plan.

Those two subjects are widely perceived to be the most vital that schools teach, and the two grade levels are considered pivotal times to assess what students know. Each test would last 90 minutes and be based on an exam known as the National Assessment of Educational Progress, which is highly regarded by many educators. Sample groups of students nationwide have taken that test for decades.

The House is planning to vote next week on Clinton's testing plan and lawmakers there who oppose it said they have not been dissuaded by the Senate's action. Rep. William F. Goodling (R-Pa.), chairman of the Committee on Education and the Workforce, said he still thinks national tests are a bad idea even with the changes that the Senate has made to Clinton's plan.

"Rather than spend \$100 million on more tests, House Republicans and many Democrats would rather send federal dollars directly to the classroom," he said. "We support higher academic standards, but they should be developed in states and communities—not Washington."

Staff writers Helen Dewar and John E. Yang contributed to this report.

The Washington Post

FRIDAY, SEPTEMBER 12, 1997

Whose Responsibility?

The Post's article about 3-year-old Courtney Mulherin, who has a life-threatening allergy to dairy products, and the effect it will have on her preschool program hit a nerve ["Preschoolers Food Allergies Limit Menu for Entire Class," Metro, Aug. 29].

The child's father is reported to have asked, "When do you stop being afraid and let go?" My question to her father is, "What makes you think that you have the right to place the responsibility for your child's well-being on the other 3-year-olds in the class, their parents, the teachers and the community center?" My question to the Ida Lee Center is, "Why would you allow this parent to

shift responsibility to you and the other parents and students?"

Courtney's father should be afraid. This is a serious problem. Until this child is old enough to understand her medical problem, her parents should maintain hands-on control of her environment. If the child is to attend preschool, a parent should be there to supervise her.

The community center should be afraid, as should the parents of the other children in the class. Who do they think will be held responsible if the unthinkable should happen? With a room full of 3-year-olds, anything can happen.

VIRGINIA GEDNEY
Ashburn

I found the article about the preschooler's food allergies limiting the menu for the entire class disturbing and sad. Rather than whine and moan about the inability to include dairy snacks in their toddlers' snack packs, the parents of the other children in the class should be grateful for the opportunity to help safeguard the precious life of a child. The parents involved can begin to instill in their children the quality of being generous of spirit by unselfishly putting the needs of one child over their preferences. Our sense of "family" needs to extend to all with whom we come in contact.

LINDA TISH GOLDSTEIN
Washington

Transportation, Not Transit

The Post's Aug. 29 editorial on Metro General Manager Richard White's reaction to a Greater Washington Board of Trade report missed the mark ["Mr. White's Metrotantrum"].

The board of trade, like any other trade association, represents the views of its members, not unbiased research. While the board has supported limited mass transit, its overwhelming view is for construction of more and larger highways. One reason transportation policy in the Washington area is so convoluted is the historical bias of the board of trade against true mass transit.

While Mr. White's remarks may have been intemperate, they reflect a widely held concern that business support for mass transit is of the lip service rather than the real variety.

A regional transportation authority—not just a transit authority—is needed to create and maintain a fully integrated transportation system. Such an authority would be charged with highway design approval, expanding the regional rail system (including light rail, Metro and commuter railroads), developing alternatives to pollution-belching buses and fixed bus routes (including electric non-rail vehicles, more responsive routings and schedules, and more and better van pools), making rail usage more enticing (through free parking and more convenient bus/rail connector services free to rail users) and assessing equitable (not identical) regional taxes to fund the improvements.

The creation of such an authority will take leadership and will require groups such as the board of trade to rise above vested interests.

ROBERT J. CUSHMAN
Sunderland, Md.

The Economics Of Education

On its Aug. 28 letters page The Post highlighted Florencio Ramos's rant against the "unaccountability" and "corruptibility" of higher education in the United States ["Unaccountable College Autocrats"]. Mr. Ramos repeats a slate of tired old complaints that deserve rebuttal.

First, higher education hardly is a profit-motivated business.

Few universities, and certainly none of high repute, are operated for profit. Most absurdly, Mr. Ramos complains that universities "answer to nobody: Stockholders are nonexistent and customers—i.e., students—are virtually powerless." This is simply wrong in the case of state universities, which answer directly to elected governors and state legislatures. Mr. Ramos's stockholder analogy also contradicts his criticism about profit motivation. Does he want a university to be run more like an industrial corporation, or less so? Fiduciary responsibility to stockholders is, after all, the primary reason publicly owned corporations tend to focus on short-term profits rather than long-term growth.

Finally, the notion that the customers in academia are powerless is a fiction. Students and parents presumably pay tuition to have experts (faculty) administer curricula and evaluate performance. Otherwise, they possess exactly the same power that all customers in a free-market society have: the option to take their business elsewhere.

The United States has hundreds of colleges and universities offering many different educational opportunities and charging a correspondingly broad range of tuitions. Another alternative for dissatisfied customers is to invest tuition money in something other than higher

The Not-So-Good Ol' Days

Richard Morin's front-page Aug. 29 article, "Poll Finds Wide Pessimism About Direction of Nation," implies that things are worse now than in the past. But I am an old man, so I clearly remember our past, and the failings were abundant. Child abuse in the old days? No, that was just "discipline." Wife abuse? Just a way of making sure it was understood that the husband was always in charge.

If a crime could not be solved, all too often some unfortunate homeless so-called bum would be charged, given too little in defense efforts and convicted just to satisfy the community that the crime was punished. Blacks were considered less than human. Lynching, while not exactly condoned, was tolerated at times in order to warn some to "keep in their place." Much of the preaching was a gory description of eternal torture in hell awaiting those who were ignoring the preacher's message.

The great stock market crash was caused by greed, and the resulting depression was absolute misery. There was very little help for people in abject poverty. Yes, we have too much government now, too much complicated bureaucracy, but at least something is available to keep people from being financially devastated to the point where suicide looks like a good solution.

No, the "old days" were different but not better. What we need now is to move toward a new concept—simpler and fairer tax collection, the end of prejudice, a national improvement in the kindness and consideration that our citizens should have for each other. None of this is beyond reach. Let's try it.

H. PAUL MURRAY
Arlington

As the only Jewish student in Pike County, Ala., schools during most of the 1950s, I was saddened by The Post's story about the alleged persecution of the only Jewish students currently in rural Pike County High School ["Tough Lessons in an Alabama Town," news story, Sept. 2].

I do not know the Herring-Willis family or the school administrators who are the defendants in the lawsuit. Whether the Herring children have been persecuted because they are Jewish and whether the Pike County schools have stepped over the line separating church and state (a hotly contested line in Alabama and elsewhere these days) presumably will be determined in the forthcoming trial.

I do know that my own experiences were nothing like the ones The Post reports, perhaps because my family had been in Troy, Ala., since my grandparents' generation (which still made us newcomers). I never was excluded, singled out or discriminated against, nor was my older brother before me. Indeed, I never experienced antisemitism until I went away to school—even though during many of those years

Alabama had a perennial candidate who railed against the "Communist-Jewish conspiracy." I have attended and taught at some good schools since leaving Troy, but I've never seen teachers better than several I had there.

I do not report my happy memories of growing up in Pike County in order to suggest that the Herring-Willis charges must be false. But I do want to second the comments the article quotes from the family's lawyer, Pamela Sumners, who said that she "would hate for folks to have the impression that we don't have any progressive, open-minded people in the state of Alabama." I would add only that, in Alabama as elsewhere, not all open-minded people are progressive, and in fact, every now and then one occasionally runs across progressive people who are not open-minded. Those would be the people who leap from the charges The Post reports to the conclusion that the whole town, county and state must be guilty. That would not be justified even if, tragically, the charges should be proved true.

JOHN S. ROSENBERG
Falls Church

Alabama and Antisemitism



BY MARGARET SCOTT

Protecting Our Kids

The law says a defendant is innocent until proven guilty. Apparently that is not the case for children with disabilities, according to Ivan Gluckman ["Troublemakers in Public Schools," letters, Sept. 5]. Although Mr. Gluckman admits that he has no statistical evidence, he claims that a high percentage of violent students cannot be removed from the classroom because they are protected by state and federal rules that apply to students with disabilities.

Mr. Gluckman should learn the facts. According to two recent studies, students with disabilities are more likely than their peers without disabilities to be suspended from school, even though their offenses involve no weapons and are similar to those for which students without disabilities are punished less severely. In addition, because students with disabilities must be placed in settings that best meet their needs, they may receive educational services in settings other than general classrooms, such as resource rooms, self-contained classrooms and, if need be, separate facilities. Furthermore, the recent reauthorization of

the Individuals With Disabilities Education Act makes it easier to move into an alternative setting those students with disabilities who are a danger to themselves or others.

Mr. Gluckman's assertion that almost any child can be classified as emotionally disturbed also is false. For a child to be classified as having any disability, including emotional disturbance, he or she must undergo a comprehensive evaluation by a team of qualified professionals from many different disciplines.

We cannot stop violence and disruption in our schools by scapegoating children with disabilities. A better approach is for general and special educators to work together to implement behavior-management programs that teach students to control their aggressive tendencies, as well as to develop alternative educational programs for all violent students—regardless of whether or not they have disabilities.

NANCY SAFER
Executive Director
Council for Exceptional Children
Silver Spring

The Washington Post

MONDAY, SEPTEMBER 15, 1997

Bud Shuster

Money to Get America Moving

The Post can't have it both ways—disdaining the spending of gas-tax dollars to build America's highways ["The Highway Bill," editorial, Sept. 7] while decrying in numerous news stories the growing congestion on the region's highways, the looming crisis of Washington's transit system and the need for a billion-dollar replacement of the Woodrow Wilson bridge. Beyond the Beltway, America is also growing and prospering, but our transportation infrastructure is crumbling.

A 70 percent increase in Asian trade is jamming Seattle's port and snarling traffic at 45 railroad crossings. The antiquated roads of the no-longer sleepy Rio Grande valley are clogged by a 250 percent increase in Mexican-Texan trade. Miami is exploding, with traffic on its main east-west corridor projected to increase by 120 percent and its population projected to increase by 60 percent by the year 2010.

In the past decade, New York has had a 2 percent increase in population but a 27 percent increase in vehicle miles traveled; Illinois, a 3 percent increase in population but a 33 percent increase in vehicle miles traveled; Virginia, a 16 percent increase in population but a 46 percent increase in vehicle miles traveled; and, California, a 20 percent increase in population but a 33 percent increase in vehicle miles traveled. Comparable population-to-transportation growth ratios exist in almost every state.

Urban congestion costs \$43 billion annually, our 23 largest airports each experience more than 200,000 hours in delays annually and 30 percent of our 42,000 annual highway fatalities are caused by unsafe roads and bridges. According to the U.S. Department of Transportation, we need to invest \$16

billion more annually in our highways, \$10 billion more in our airports and \$13 billion more in transit. The good news is the gas, airline ticket and related taxes Americans are paying into transportation trust funds are adequate to begin meeting these needs.

The bad news is that the money is not being spent as promised when the transportation trust funds were established.

The transportation trust funds have

Taking Exception

\$32 billion in unspent balances, and those balances will increase to more than \$105 billion in five years if nothing changes. And by law, the trust fund revenues can be spent only on transportation infrastructure.

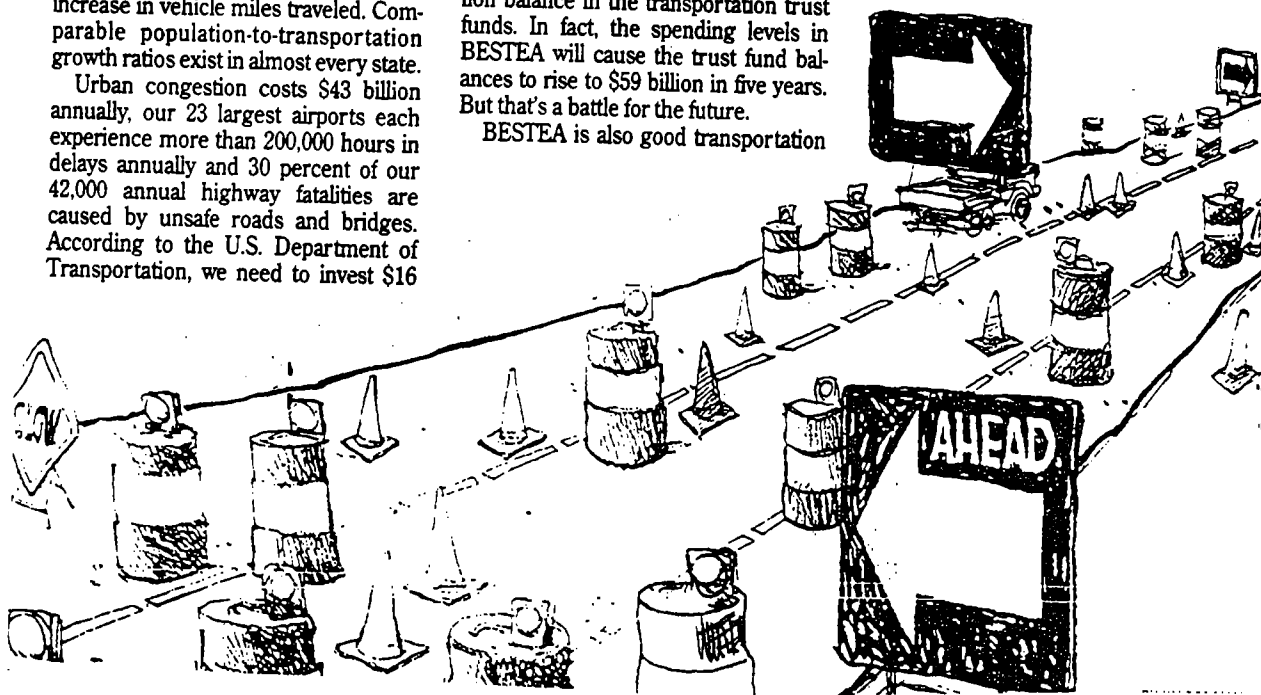
The Building Efficient Surface Transportation & Equity Act of 1997 (BESTEA) will put the trust back into the transportation trust funds by unlocking those funds to be spent as they were intended. Annual gas taxes and related user fees going into the Highway Trust Fund support increasing highway spending from \$4 billion to \$6 billion annually, without touching the \$32 billion balance in the transportation trust funds. In fact, the spending levels in BESTEA will cause the trust fund balances to rise to \$59 billion in five years. But that's a battle for the future.

BESTEA is also good transportation

policy and has the widespread support of environmentalists, the National League of Cities, the National Association of State Legislatures and hundreds of other groups. Moreover, the National Governors' Association has urged us to go even further than BESTEA and spend the surplus and all future revenue flowing into the Highway Trust Fund.

We can keep faith with the American people by spending their trust fund gas taxes to improve roads, bridges and transit systems while balancing the budget. Both the Office of Management and Budget and the Congressional Budget Office have indicated that the five-year budget plan underestimated federal revenues by \$135 billion. Fully funding BESTEA increases transportation trust funds spending by about \$25 billion over five years—only 18 percent of the assumed revenues—so no other programs will need to be cut to stay within the five-year deficit-reduction plan. This is an investment in our future that can and should be made.

The writer, a Republican representative from Pennsylvania, chairs the House Transportation and Infrastructure Committee.



The Washington Post

MONDAY, SEPTEMBER 15, 1997

OFFICE OF INTERGOVERNMENTAL AFFAIRS

**LIST OF ATTENDEES FOR NEXTEA BRIEFING
TUESDAY, MAY 20, 1997**

	FIRST	LAST	TITLE	ORGANIZATION/ WASHINGTON OFFICE OF...
1.	Ken	Brown	Executive Director	National Association of Local Governments Environmental Professionals
2.	Debra	Bryant	Director	North Carolina
3.	Alison	Burns		Minnesota
4.	Tom	Crawford	Legislative Director	Murray, Sheer, Montgomery
5.	Michelle	Crowley	Legislative Assistant	New York
6.	Patricia	Daley	Legislative Director	Ungaretti & Harris
7.	Walter	Davila		Bayamo, Puerto Rico
8.	Ralph	Garboushian	Asst. to City Rep.	Barbara T. McCall Associates
9.	Raul	Gatanguí		Hawaii
10.	Sharon	Hardie	Legislative Assistant	New York
11.	Dave	Harstad		Indianapolis
12.	Jonathan	Hoffman	Intern	Nat. Council Urban Econ. Dev.
13.	Eric	Jaffe		Missouri
14.	Brad	Johnson	Partner	Hawkins, Delafield, & Wood
15.	Jeff	Jones	Legislative Assistant	Birch, Horton, Bittner & Scerot
16.	Stephen	Kennedy	Legislative Assistant	Illinois
17.	Elizabeth	Kane		Miller, Canfield, Paddock & Stone

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**LIST OF ATTENDEES FOR NEXTEA BRIEFING
TUESDAY, MAY 20, 1997**

18.	Patrick	Lally		
19.	Kelly	Lineweaver	Director	South Carolina
20.	Dave	Lucas	Federal Liaison: Budgets	New York
21.	Laura	Madden	Associate	Bracy, Williams & Co.
22.	Eve	Maldonado	Senior Legislative Associate	League of California Cities
23.	Debra	Marshall	Federal Legislative Liaison	Michigan
24.	Barbara	McCall	City Rep.	Barbara T. McCall Associates
25.	Kevin	McCarty		
26.	Terri	Moreland		Illinois
27.	Patricia	Nadler		Massachusetts
28.	Richard	Parent		Newark, NJ; Gainesville, FL; San Francisco, CA
29.	Nicole	Petrogino		Lincoln, NE & Beaumont, TX
30.	Carolyn	Phipp		Director of Government Relations
31.	Sherri	Powar		San Francisco Transit Authority
32.	Robert	Primus		
33.	Karin	Rutledge		New Orleans
34.	Liz	Schubert		Detroit, MI & Jacksonville, FL
35.	Michelle	Sealey	Legislative Associate	League of California Cities
36.	Jane	Snowden Mayer		Lansing, MO
37.	Marguerite	Sullivan	Director	New Jersey

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**LIST OF ATTENDEES FOR NEXTEA BRIEFING
TUESDAY, MAY 20, 1997**

38.	Mary	Sutton	Senior Analyst	Texas: Economic-Legislative Development
39.	Frank	Torres	Executive Director	Guam
40.	Deborah	White	Legislative Assistant	Akin, Gump
41.	Dan	Wilson	Director	Boston
42.	Mary	Wright	Legislative Assistant	Iowa

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001. list	List of Attendees for NEXTEA Briefing; RE: Personally Identifiable Information [partial] (3 pages)	05/20/1997	b(6)

COLLECTION:

Clinton Presidential Records
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FOLDER TITLE:

ISTEA [Intermodal Surface Transportation Efficiency Act] [Folder 2] [1]

2015-0463-F
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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]

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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]

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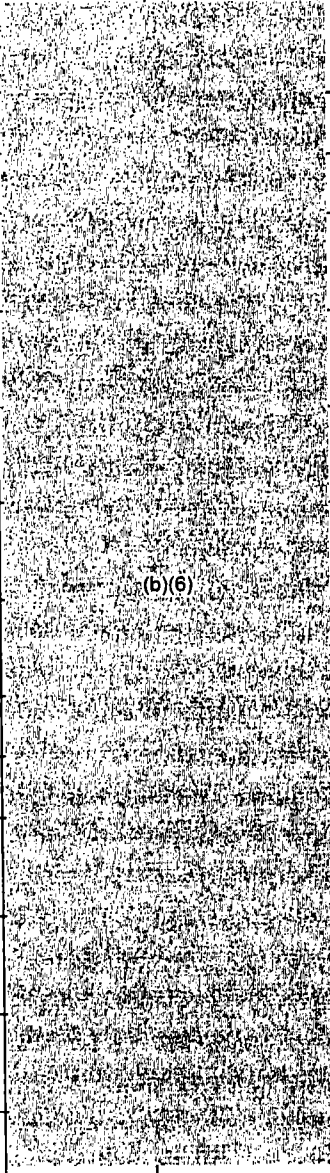
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[001]

FIRST	LAST	ORGANIZATION/ WASHINGTON OFFICE OF...	TITLE	DOB	SSN	CIT
Frank	Torres	Guam	Executive Director	(b)(6)		Y
Terri	Moreland	Illinois				Y
Patricia	Nadler	Massachusetts				Y
Alison	Burns	Minnesota				Y
Eric	Jaffe	Missouri				Y
Debra	Marshall	Michigan	Federal Legislative Liaison			Y
Raul	Gatanguí	Hawaii				Y
Dan	Wilson	Boston	Director			Y
Barbara	McCall	Barbara T. McCall Associates	City Rep.			Y
Ralph	Garboushian	Barbara T. McCall Associates	Asst. To City Rep.			Y
Marguerite	Sullivan	New Jersey	Director			Y
Tom	Crawford	Murray, Sheer, Montgomery	Legislative Director			Y
Debra	Bryant	North Carolina	Director			Y
Elizabeth	Kane	Miller, Canfield, Paddock & Stone				Y
Michelle	Crowley	New York	Legislative Assistant			Y

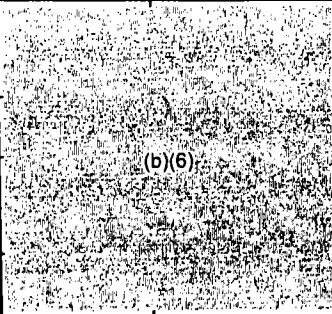
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Patricia	Daley	Ungaretti & Harris	Legislative Director			Y
Kelly	Lineweaver	South Carolina	Director			Y
Robert	Primus					Y
Jeff	Jones	Birch, Horton, Bittner & Scerot	Legislative Assistant			Y
Stephen	Kennedy	Illinois	Legislative Assistant			
Deborah	White	Akin, Gump	Legislative Assistant			Y
Brad	Johnson	Hawkins, Delafield, & Wood	Partner			Y
Jonathan	Hoffman	Nat. Council Urban Econ. Dev.	Intern			Y
Kevin	McCarty					
Dave	Harstad	Indianapolis				Y
Walter	Davila	Bayamo, Puerto Rico				Y
Jane	Snowden Mayer	Lansing. MO				Y
Nicole	Petrogino	Lincoln, NE & Neaumont, TX				Y
Richard	Parent	Newark, NJ; Gainesville, FL; San Francisco, CA				Y

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Sherri	Powar	San Francisco Transit Authority		 (b)(6)		Y
Karin	Rutledge	New Orleans				Y
Liz	Schubert	Detroit, MI & Jacksonville, FL				Y
Michelle	Sealey	League of California Cities	Legislative Associate			Y

categories. The project now complete, received an architectural award.

Congestion Mitigation and Air Quality Improvement Program

It takes more than technology to combat air pollution. Creativity, community involvement and flexibility are essential, too, and that's what ISTEA's CMAQ program is designed to promote. Over \$3.6 billion of CMAQ funds have been obligated under ISTEA, with nearly half going to support transit improvements. In fact, CMAQ has transferred a far greater percentage of funds to transit improvements than any other flexible funding program in ISTEA. The remainder of the funds has gone to bicycle and pedestrian projects, shared-ride services, demand-management strategies, and emission inspection and maintenance programs.



Boise, Idaho: Clean-Fuel Buses

In Boise, what may be the bus fleet of the future is in operation right now. Using CMAQ funds, the city is replacing 28 of its outdated diesel buses with a fleet of small and medium-sized buses powered by compressed natural gas (CNG). Twenty-two of the buses will serve

1888
853
0295

from: John Horsley - 366-4523

For

Suzanne Steele
456-2889

(4 pages)

the city's existing bus routes, while the remaining six buses will serve new routes. One of these new routes extended transit service to Boise State University in a partnership that has increased bus ridership and improved mobility on campus. A CNG fueling facility was also constructed in conjunction with the transition to alternative-fuel buses, and in a second partnership, Intermountain Gas Company provided a service line for the CNG fueling facility free of charge, saving taxpayers \$76,000.

In line with ISTEA's goal of citizen participation in transportation decisions, Boise encouraged residents to attend CMAQ hearings and contribute to the project selection process. City officials believe this approach has laid the groundwork for even more productive citizen participation in the future.

Transportation Enhancements

With a wide-ranging law like ISTEA, sometimes the smallest programs can have the biggest effects. The Transportation Enhancements program represents a relatively minor share of ISTEA funding, but it has had major benefits for people and communities across the Nation. Projects undertaken with



Rails-To-Trails Conservancy

Transportation Enhancements funding have improved the nation's multimodal transportation system by providing new transportation options, boosted local economies, brought communities together to solve local problems, and encouraged public support for transportation projects.

Transportation Enhancement funds have been used to build bicycle and pedestrian trails, rehabilitate AMTRAK and transit stations, conserve scenic byways, and improve the infrastructure of downtown business areas. For communities, the benefits of the Transportation Enhancement program have far surpassed expectations.

Cliff Walk Restoration, Newport, Rhode Island

Once it was the summer playground of the nation's wealthiest citizens. Now Newport, Rhode Island, is one of New England's foremost tourist attractions. Visitors can even stroll in the footsteps of millionaires along the Cliff Walk, a 3.5-mile path bordered by the historic mansions on the west and the ocean shoreline to the east. But the Cliff Walk which had been designated as a National Historic Landmark had been damaged from storms, wave action, and surface runoff.

A \$4.2 million restoration effort funded through ISTEA's transportation enhancement program ensured the Cliff Walk's long-term survival and made the path safer and more accessible to the disabled. As an indication of how important this project is considered to be to the local economy, project sponsors contributed more than double the local match required.

Stone Arch Bridge Rehabilitation, Minneapolis, Minnesota

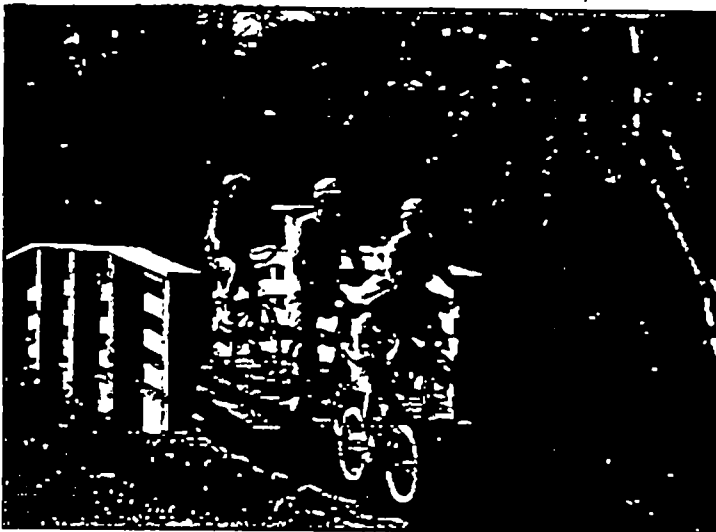
Once closed and abandoned, Minneapolis's Stone Arch Bridge over the Mississippi River now serves as a beautiful gateway to the city. \$2.8 million in Transportation Enhancement funds helped restore the nineteenth-century bridge so it could be reopened as a short-line trolley, bicycle and pedestrian corridor. It connects the downtown business area with the University of Minnesota and serves as the key link in the St. Anthony Falls Heritage Trail, a two-mile walking and bicycle trail that features an extensive system of interpretive and directional signs and information kiosks.

The bridge rehabilitation has created both an important transportation link and a valuable urban amenity. The project ties the east and west sides of the Mississippi River together directly below St. Anthony Falls, the only waterfall on the river. A natural gas fueled trolley now links the downtown business and convention district with the waterfront's scenic vistas and historic flour mills. These attractions draw thousands of visitors to the stores and restaurants along the riverfront.

Schuylkill River Park, Philadelphia, Pennsylvania

It's one of Philadelphia's greatest assets, but some of it has been in hiding for years. Now the Schuylkill River is ready to make a grand reappearance as the focal point of Schuylkill River Park, a new city amenity made possible in large measure by \$4 million in Transportation Enhancement funds.

The river park will connect with a 23-mile-long multiuse pathway that will link Center City Philadelphia with a trail system that extends to historic Valley Forge. The park will



serve as an important link to historic and cultural sites such as the Fairmont Water Works, the Philadelphia Art Museum, 30th Street Station, the University Museum, the canal at Manayunk, Bartram's Garden, and Fort Mifflin.

The bicycle and pedestrian pathway will also open up new options for commuters. The route into Center City will be free of vehicular traffic. Once in the downtown area, bikers and pedestrians will have a choice of five exits from the trail. John Randolph, executive director of the Schuylkill River Development Council, says bridges over the bikeway carry city streets served by numerous bus lines, and there are plans to construct bike storage facilities in these areas. "It's a tremendous opportunity to relieve congestion," he says.

Baltimore-Washington International Airport, Maryland

When you think about airport transportation, bicycles don't usually come to mind. But a 14.5-mile bike trail circling Baltimore-Washington International Airport is the centerpiece of a unique intermodal project that was the first transportation enhancement project to receive FHWA funding under ISTEA. When the BWI Trail is completed in 1998, it will link five modes of transportation: rail, transit, highways, aviation and bicycle-pedestrian facilities. It will connect communities around the airport with the Linthicum Light Rail Station to the north, the Baltimore & Annapolis Trail to the east, and an Amtrak station and Patapsco State Park to the west.

The trail, whose development has involved close partnerships among five State and county agencies and numerous community groups, is already linking communities and neighborhoods and creating new options for commuters. The 10-foot-wide trail made of asphalt and wooden boardwalks is separate from roadways for most of its route, winding through woodlands and residential areas, around wetlands and across scenic overlooks. Lou Maddox, a member of the board of directors of the Glen Burnie Improvement Association, says, "The new trail connects communities the way railroads did. But unlike the railroads, you don't have to board at the station. You can get onto the trail right from your home or from a busy street."

welfare recipients' transition to work. And NEXTEA provides greater flexibility for states and localities to target funds to projects that best meet community needs.

I appreciate the serious attention the Committee is giving to these proposals, which are fully consistent with the commitment to a balanced budget with balanced values expressed by President Clinton and agreed to by Congressional negotiators last week. Now, as you move toward finalizing legislation for Committee consideration, I want to underscore the importance the President and his entire Administration place on several key elements of NEXTEA.

Protecting the Environment

As President Clinton said on March 12, ISTEA reauthorization "is one of the most important pieces of environmental legislation that will be considered by Congress in the next two years." ISTEA has been an effective tool in the national effort to reduce air and water pollution, to preserve wetlands and open space, and to make transportation facilities more compatible with the environment. The Congestion Mitigation and Air Quality (CMAQ) and the Transportation Enhancements (TE) programs have contributed tremendously to that success. ISTEA authorized an average of \$1 billion annually for CMAQ to help communities ensure healthy air for their citizens. This funding has been used for a range of innovative projects -- everything from cleaner natural gas buses in Cleveland and Boise, and a child care facility to promote ridership at a San Jose transit facility, to an emissions inspection and maintenance program in Indiana. Our NEXTEA bill proposes to continue and expand on the success of CMAQ by increasing authorized funding by 30%, by expanding eligibility to cover additional pollutants, and by ensuring that no state loses CMAQ funds as a result of potential changes in air quality standards. CMAQ is an important way for the Federal government to be a partner in helping areas achieve Federal clean air standards. We also know, through our extensive outreach efforts, that the Federal investment in enhancements has gone a long way to preserve and return to life community facilities that are an important part of America's heritage. The increased funding levels proposed in NEXTEA are essential to continue these successful efforts.

The Administration strongly opposes proposals to permit CMAQ and TE funds to be shifted to other categories. CMAQ is already the most flexible of all Federal transportation funding programs: it permits states and metropolitan areas to invest in virtually any project, regardless of mode, that helps states and localities to achieve applicable clean air goals. Transportation Enhancements funds have supported a broad range of projects that strengthen the cultural, aesthetic and environmental aspects of our transportation system. We strongly urge the Committee to maintain these successful programs intact, and would oppose proposals to dilute funding for them or permit diversion to other programs.

Safety

NEXTEA includes a variety of initiatives to improve the safety of our transportation system. As the President has said, "[i]f there is one thing we can do to save thousands of American lives, it is to increase seat belt use nationwide." We strongly urge substantial funding for state and local programs to increase seat belt usage and to reduce drunk and drugged driving. The bill must also

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Slater & Bone Need are ^{Title IX} _{noty.}

Doing a briefing on the welfare \$1
in the NEXTEA Bill. Attached
is a draft of paper for briefing and
the proposed invitation list. I'll
come by to discuss. Truly

MOVING AMERICANS FROM WELFARE TO WORK: IMPROVING ACCESS TO JOBS AND TRAINING

To support his comprehensive welfare reform initiative, President Clinton proposes to build on existing transit programs that work with innovative approaches to helping people make the transition to the working world. One of the biggest barriers faced by those moving from welfare rolls to payrolls is finding transportation to jobs, training, and support services such as day care. Poverty and welfare eligibility rules mean that few welfare recipients own cars, and public transit often provides inadequate connections to job and training centers. This problem is becoming more serious, since two-thirds of new jobs are in suburbs.

ISTEA SUCCESSES

- ✓ Our Livable Communities program integrates transit with jobs, schools, and housing. In Corpus Christi, local residents worked with local officials on developing three bus transfer centers and improving pedestrian access to local amenities, and a Los Angeles neighborhood initiative is successfully providing community-senative transit that links transportation services with community needs.
- ✓ The Joblinks program provides transportation and training in both urban and rural areas. Oregon's Glendale-Azalea School District used Joblinks funds to transport 400 unemployed and undereducated residents to training and to jobs in the first year alone. The success of initiatives such as Joblinks and Livable Communities provides a model for new efforts to improve community access to jobs and other necessities.

KEY NEXTEA PROVISIONS

- NEXTEA includes a six-year, \$600 million grant program to support flexible, innovative transportation alternatives, such as vanpools, to get people to where the jobs are. Funding would also provide access to training centers and to support services such as day care at transit links. This program would be closely coordinated with other human services assistance that would be provided to states and localities working to meet the special needs of the welfare population.
- Since transportation and construction jobs are among America's best-paying, we want to open opportunities in these fields for welfare recipients and other disadvantaged people. NEXTEA would increase incentives for states and localities to provide job training in conjunction with federally-funded technology and construction projects, and to enable them to offer hiring preferences to welfare recipients and residents of Empowerment Zones and Enterprise Communities.

***MOVING AMERICANS FROM WELFARE TO WORK:
PRESIDENT CLINTON'S ACCESS TO JOBS LEGISLATIVE PROPOSAL***

- **\$600 Million in New Funds** -To support Federal, state and local welfare reform efforts, DOT's NEXTEA proposal for surface transportation reauthorization includes \$100 million annually to fund access to work transportation for welfare recipients.
- **New Flexible Transportation Services** - A new competitive grant program will assist states, local governmental authorities, and private non-profit organizations to plan and establish new transportation services targeted at linking welfare recipients to jobs. Grants are available for planning and implementation.
- **Targeted Grants** - Challenge grants will target funds based on both need and demonstrated willingness to address the transportation needs of welfare recipients. Criteria include:
 - 1) the severity of the welfare problem;
 - 2) the need for additional services to transport economically disadvantaged persons to jobs, training and other employment support services, and the extent to which proposed services will address these needs;
 - 3) existence of or willingness to establish a mechanism to coordinate transportation and human resource services planning;
 - 4) performance under other welfare reform initiatives;
 - 5) state and local share a financial commitment.
 - 6) other factors, such as:
 - coordination of existing public and employer-provided transportation service operations and long term financing strategies to support the program.
- **State and Local Partnership** - FTA will provide 50% of the project costs. Grant applicants must provide the remaining 50% match from local funding sources. Other Federal funds may be used as part of the local match.
- **Broad Eligibility** - Challenge grants may be used for a broad range of services, including:
 - Operating and capital costs for services.
 - Coordinating transit, private and human resource services.
 - Promotion of employer-provided transportation.
 - Planning and developing important support facilities at transit sites, such child care.
 - Development of financing strategies.
 - Collaborative planning activities.
 - Administrative costs.
- **Federal Technical Assistance Program** - A portion of Federal funding will be used to provide state and local grant recipients with technical assistance and to evaluation programs to ensure success and to document best practices so other communities can learn from their experience..

MOVING AMERICANS FROM WELFARE TO WORK:

Studies on the Spatial Mismatch

In his 1997 State of the Union Address, President Clinton set a goal of moving 2 million welfare recipients to work by the year 2000. But welfare recipients can't work if they can't get to work. The majority of available entry level positions are located in suburbs and exurbs -- far from urban and rural centers of poverty. Lack of convenient and affordable transportation to jobs is a major roadblock in communities all over this country. Access to jobs, training, and support services such as child care -- the "to" in "welfare to work" -- is essential to speed the transition from welfare rolls to payrolls.

Getting to work or school is difficult for welfare recipients. Nationally, just under six percent of Temporary Assistance for Needy Families (TANF) families own cars. Cutbacks in transit funding and operations have further limited their options.

Most welfare recipients live in our city centers. But half of today's jobs are located outside of central cities, and this trend is accelerating: two-thirds of all new jobs are in suburbs. Transit services are generally confined to move people within cities or from suburbs to cities. Existing services also can be inconvenient for welfare recipients, many of whom work off-hour and late night shifts. Support services such as day care and employment centers are often located far from transit lines, creating additional difficulty for parents with small children..

In the studies outlined below, the transportation systems of three cities were examined as part of broader efforts to evaluate the capacity to move the welfare population to work. They created map identifying concentration of welfare recipient residences, the location of entry-level jobs, and public transportation lines. The results present a troubling picture at best, -- half of the entry-level jobs are not accessible within a reasonable commute time.

CLEVELAND

The Cleveland metropolitan area's economy has been growing, but mostly at the outskirts. Most entry-level jobs in the region cannot be reached easily by welfare recipients from inner-city Cleveland with the current configuration of public transportation. For example, a recent study examined five downtown neighborhoods and found that the inner-city residents could only reach eight to fifteen percent of entry-level job openings by public transportation within an 80 minute transit ride. Less than 45% of entry-level jobs are accessible by this standard, leaving the other 55% of the job market completely out of reach by public transportation to Cleveland's welfare population.

CONTACT: Neil Bania
Center of Urban Poverty & Social Change, Case Western Reserve University
(216) 368-8670.

BOSTON

The Boston study, prepared by the Volpe National Transportation Systems Center, found that their highest growth areas of entry-level jobs were along Route 128, located well outside the central city. Boston has an extensive mass transportation system, TANF recipients living in

central Boston have excellent access to public transportation: 99% of recipients live within a reasonable walking distance (0.5 miles). Nevertheless job-growth areas are under-served. Just, 43% -- less than half -- of potential employers are within half a mile of transit lines.

Less than one percent of employers in high-growth areas can be reached within 30 minutes by transit from central-city poverty areas. Over 40% of employers in high-growth areas require a more than two-hour commute time. Even when a welfare recipient can make the connection to a job on public transit, other problems arise: gaps between destinations, unpredictable service and insufficient operating hours. The study does not examine these and other impediments.

CONTACT: Annalynn Lacombe
VOLPE National Transportation Systems Center
(617) 494-2161

ATLANTA

Atlanta faces many of the same challenges as Cleveland and Boston. A study by Michael Rich at Emory University of job openings advertised in one 1997 Sunday edition of the *Atlanta Journal Constitution* shows that three out of every four jobs are in the suburbs. Just under half of the entry-level jobs are within a quarter mile of a bus or rail line. The most transit-accessible jobs are those that pay less than \$15,000 per year, with roughly about two-thirds located within a quarter mile of a transit route. Less than one out of three entry-level jobs that paid more than \$15,000 a year -- those jobs most likely to enable welfare recipients to make the transition to economic self-sufficiency -- are located within a quarter mile of a transit route. (This ongoing study has not yet analyzed at travel times.)

CONTACT: Michael Rich
Emory University
(404) 727-7449

**NATIONAL GOVERNORS' ASSOCIATION
WELFARE TO WORK TRANSPORTATION PROJECT**

- * The National Governors' Association (NGA) in cooperation with two Department of Transportation's (DOT) agencies, the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA), is awarding grants and providing technical assistance to 24 State and one territory to develop transportation strategies to support State welfare to work efforts.
- * Participating States are forming task forces, led by each State governor's office, to devise a plan of action to address the transportation issues involved with welfare reform. The groups include State transportation and human resources agencies, along with local transportation providers, community human service and business representatives. State welfare to work transportation action plans will be completed by during 1997. They are expected to place strong emphasis on coordination of existing public transportation, human service private sectors and other services to assume that welfare recipients can get to where the jobs are.
- * States were selected to participate: Alaska, Arkansas Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, North Carolina, Ohio, South Carolina, Tennessee, Texas, Virgin Islands, Virginia, Washington, Wisconsin, and Wyoming.
- * The U.S. Department of Transportation is providing \$325,000 to support the NGA cooperative agreement.
- * The NGA/DOT program was initiated in recognition that individuals transitioning from welfare to work must largely depend on public and human services transportation to reach jobs and other employment support activities. Nationally, only 6% of welfare recipients own automobiles.
- * Today, it is difficult for welfare recipients to access existing entry level job opportunities. One study, of Cleveland metropolitan area, only about 40 percent of entry level jobs were reachable from inner city neighborhoods even with transit trips of 50 minutes.
- * Transportation is a major challenge because (1) many entry level jobs have shifted to suburban settings where public transit connections from inner city neighborhoods where many welfare recipients live are inadequate, (2) entry level shift work can occur during irregular hours, either late at night or on weekends when transit services are reduced or curtailed and (3) trips are often complex especially for women who often need to get their children to child care. In rural areas, the problems are equally, if not more significant only about half of rural counties nationwide have any public transit.

MOVING AMERICANS FROM WELFARE TO WORK:

Federal Highway Administration On-the-Job Training and Supportive Services Programs Fact Sheet

ISTEA SUCCESSES

Since 1971, through its On-the-Job Training (OJT) Program, FHWA has required that highway contracts funded with Federal dollars provide some training positions for higher paying transportation trades. This program ensures that a diverse workforce is available to meet the highway construction hiring needs and is specifically targeted at moving women, minorities and disadvantaged persons into journeyman status. For example, participants can be trained for positions such as carpenters, concrete finishers, construction equipment operators, pipe layers, and truck drivers. Funds for the OJT program are made available under 23 U.S.C. 140 (a) which requires States to use Federal-aid construction funds to establish apprenticeship and skill improvement training programs.

In 1972, the On-the-Job Training Supportive Services(OJTSS) Program was established to supplement the OJT program and support State Highway Agencies by providing services to highway construction contractors and assistance to the highway construction apprentices and trainees. For example, services such as recruitment, pre-employment assessments, counseling/job placement, transportation, child care and skills training are provided. Funds for the OJTSS program are made available under 23 U.S.C. 140(b) through two different funding methods: 1) funds are authorized under the FHWA general operating account, but have not been appropriated since 1996, and 2) States may draw down 1/2 of 1 percent of their allocated Surface Transportation and Bridge Improvement funds. Approximately \$40 million is available this year. In FY 96 States spent only 12% (\$3.9m) of the available funds. Expenditures in prior years were: \$3.6 m in 1995, \$5.5 m in 1994, and \$1.6m in 1993.

KEY NEXTEA PROVISIONS

Since transportation and construction jobs are among America's best paying, the Administration has proposed the following changes to allow States to create jobs for welfare recipients.

Training

- States would be allowed to reserve a certain number of OJT training slots on its Federal-aid contracts for welfare recipients.
- The training has been expanded to include technology training. This change is proposed to capitalize on training opportunities in connection with Intelligent Transportation Systems and other transportation-related technology.
- The language authorizing the States to draw down a portion of their funding for the OJT Supportive Services Program has been strengthened to help increase the funds actually devoted to training.

Employment

A new subsection, **Welfare Recipient Employment**, has been added to allow States to implement a preference for employment of persons who receive welfare assistance from States and persons who reside in Employment Zones or Enterprise Communities on all Federal-aid construction projects. This new subsection allows States to create job opportunities that move people from welfare to work.

MOVING AMERICANS FROM WELFARE TO WORK:

Successful Transportation Initiatives

1. Suburban Job Link Corporation, Chicago

The Suburban Job Link Corporation is a non-profit poverty organization in the Chicago area. It provides transportation access to suburban jobs and a variety of social service support services for welfare and unemployed persons living in the inner-city neighborhoods in Chicago. They developed five express routes linking inner-city neighborhoods with employment sites in suburban DuPage County. The demand for this service was so successful that fares covered almost 80 percent of their operating costs. They turned over the service to PACE, the suburban Chicago metropolitan transit agency, to ensure continued sustainability. PACE, in turn, has leased vans to Suburban Job Link corporation to get unemployed persons to job interviews. The Joblink Corporation has initiated another six routes with their remaining buses.

2. Southeast Arkansas Transportation (SEAT)

The Area Agency on Aging (AAA) of Southeast Arkansas in Pine Bluff built a rural public transportation system out of its senior citizen and disabled-oriented program. The AAA began its original senior transportation service in the 1970's and expanded to rural public service in 1993 with an FTA Section 18 grant. Today, SEAT has more than 100 vehicles serving 10 counties. Under FTA's joblinks demonstration program, SEAT initiated an employment service using senior center vans during off-times in rural Jefferson County. An important part of this strategy was to develop good working relationships with the county Department of Human Services Project Success case workers who are required to link welfare recipients with employment training and work. Ridership has grown to a high of 56 daily passengers and more than a 1,100 monthly passengers. The cost per ride has dropped from \$22 to \$8. The cost per vehicle hour dropped from \$43 per hour to less than \$22 per hour. This demonstration service has now been integrated into regular SEAT rural service.

3. St. Louis East West Gateway Coordinating Council

In St. Louis, the East-West Gateway Coordinating Council which serves as the Metropolitan Planning Organization for the Missouri and Illinois bi-state region, is the convenor and development intermediary for the St. Louis Regional Jobs Initiative. The Council, responded to the principles identified in the area's long range transportation plan by launching an initiative linking transportation investment with economic, employment and other community benefits. A basic premise was that this initiative will only succeed if the diverse group of employers, workers and other stakeholders in the regional labor market are included in planning, decisionmaking and outcomes. Therefore a broad consortium -- 16 agencies and organizations - serve as a governing board for the initiative which focuses on jobs available along the Metrolink rail line as well as in the suburbs. All workforce development projects are developed in partnership with specific employers. Transportation is integrated using a broad approach that addresses total mobility needs to support access to work.

4. Metropolitan Dade Transit Agency

In Miami , the Metropolitan Dade Transit Agency is making monthly bus passes available to certain Medicaid patients, as an alternative to more expensive paratransit service. This gives Medicaid recipients unlimited transportation service to meet all their needs, generates between \$1.5 - \$2 million additional revenue for the transit system at no added cost and saves the local Medicaid agency between \$5-6 million annually -- dollars that can be used for other important Medicaid needs. All transit agencies should be exploring such beneficial relationships.

5. The Transit Authority of River City, Louisville, Kentucky

Louisville, Ky., like many cities, has seen much of its downtown job base pack up and move to the outlying suburbs and industrial parks. Recently, the Transit Authority of River City (TARC) and the Kentuckians Regional Planning and Development Agency joined forces in a JOBLINKS project to provide vital transportation to isolate inner city residents. The two agencies selected a neighborhood in West Louisville. TARC designed a new bus route to the Bluegrass Industrial Park. Without the new route, the trip was typically two hours or more. With the new route, it takes less than 40 minutes. More than 40 people were using the route every day soon after its inception.

Additionally, the City of Louisville and the Transit Authority of River City will convert the Tube Turns office building into the Nia Neighborhood Travel and Jobs Center. The idea of a travel center was conceived by the community as part of the Empowerment Zone Process. The name Nia represents one of seven African principles meaning "purpose."

The Nia Neighborhood Travel and Jobs Center will serve as a focal point for bus service to employment opportunities in outlying areas, as well as a variety of transit and paratransit services. TARC will purchase 10 small wheelchair accessible buses to serve the center. The Nia Neighborhood Travel and Jobs Center will become the central element of an economic development "campus" including several surrounding buildings which will collectively provide support services for neighborhood economic development. These services may include job training programs, child care facilities, a privately financed development bank, a small business incubator (i.e., space for start-up businesses), a small business administration information office and a manufacturing technology transfer center.

The Nia Neighborhood Travel and Jobs Center is being funded under a grant by the Federal Transit Administration with local funds from City of Louisville and TARC.

6. Talahina, Oklahoma

A rural community in Southeastern Oklahoma, Talahina is served by the Kibois Area Transit System (KATS) which is based in Stigler, OK. Talahina was facing a 15 percent unemployment rate, and it is the only population base in a 40-mile radius. Job developers with the Oklahoma Department of Human Services and KATS officials agreed to initiate a work shuttle from Talahina to Fort Smith, Ark. -- home of numerous poultry processing plants that needed workers. To avoid interfering with KATS' normal operations, special runs were established on the graveyard shift (5:00 p.m. to 1:00 a.m.) and to keep costs down, KATS trained a rider to drive the Fort Smith employment run. The first van began with 10 passengers, all of whom were either unemployed and/or on welfare. Since its inception, this program has launched three more full vans and new routes have been started to Heavener, OK and Wilburton, OK.

7. The Suburban Mobility Authority for Regional Transportation Detroit, Michigan

During the 1980's, Detroit, Michigan lost 100,000 jobs, while the outlying tri-county suburban region gained 250,000. The Suburban Mobility Authority for Regional Transportation (SMART) set out to bring these isolated inner city residents back to work. In 1993, SMART launched a program designed that gives a month's worth of free passes to anyone who has recently found a job. To-date, nearly 1,000 employers and 7,000 people have participated in the program. Then in 1994, SMART restructured its entire service, doing away with many of its no-longer productive routes and moving to a major route and feeder system. To operate this feeder system, SMART began to purchase smaller, more flexible buses. Today, 800 employers and more than 16,000 actual jobs are within SMART's service area that were not before.

In Oregon, Clackamus County has used school buses to take rural residents to distant jobs. In North Carolina and Florida, the state has taken action to establish coordinated human service transportation networks on which to build new employment transportation services.

POSSIBLE ORGANIZATIONS FOR WHITE HOUSE BRIEFING

May 19, 1997

3:00 - 4:15 pm

TRANSPORTATION

American Association of State Highway and Transportation Officials (AASHTO)

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Francis B. Francois, Executive Director
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202-624-5806 (Fax)

Community Transportation Association of America (CTAA)

Dale Marsico
Executive Director
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202-624-1480

American Public Transportation Association (APTA)

Paul Carlson, Director Policy Development
Amy Coggin, Executive Director Policy and Intergovernmental Relations
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202-898-4000

WELFARE / EMPLOYMENT TRAINING

American Public Welfare Association (APWA)

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Interstate Conference of Employment Security Agencies (ICESA)

Kathleen Cashen
Employment, Training & Congressional Relations Director
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Jobs for the Future (research Institute in Boston)

Richard Kazis
Vice President for Policy & Research
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National Association of Private Industry Councils (NAPIC)

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National Alliance of Business (NAB)

Tom Lindsley
Vice President for Legislation & Policy
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National Employment Leadership Council (NELC)

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The Welfare Information Network (WIN)

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National Association of Manufacturers

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Manpower Demonstration Research Corporation (MRDC)

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National Association of Workforce Development Professionals

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US Conference of Mayors

Kevin Mc Carty
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National Association of Regional Councils

Janet Oakley, Director of Transportation, Association of Metropolitan Planning Organizations
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Ruth Crone, Executive Director Washington Council of Governments
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fax: 202-962-3201

National Conference of State Legislators (NCSL)

Becky Brady, Transportation Specialist
Sheri Speisel, Welfare Reform
444 N. Capitol St. NW Suite 515
Washington, DC 20001
phone: 202-624-5400

National Association of Counties (NACo)

Bob Fogel, Transportation
Marilina Sanz, Welfare Reform
440 First St. NW, 8th Floor
Washington, DC 20001
phone: 202-626-3020

Council of State Governments

Abe Frank, Washington Office Director
444 N. Capitol Street, Suite 250
Washington, DC 20001
202-624-5460
202-624-5452 (Fax)

International City Management Association

Roy Pederson, President
William H. Hansell, Jr., Executive Director
777 N. Capitol Street, NE, Suite 500
Washington, DC 20002
202-289-4262
202-962-3500

National League of Cities

Laurie Saroff, Transportation
Jose Dimas, Welfare Reform
1301 Pennsylvania Avenue, NW, 6th Floor
Washington, DC 20004
202-626-3000
202-626-3043 (Fax)

Academy for State and Local Government

Dawn Hatzer, Director
444 N. Capitol Street, Suite 349
Washington, DC 20001
202-434-4850
202-432-4851

National Association of Towns & Townships

Tom Halicki, Federal Affairs
1522 K Street, NW, Suite 730
Washington, DC 20005
202-737-5200

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Suzanne Dale to Richard Hayes at 05:19:53; RE: Personally Identifiable Information [partial] (2 pages)	05/06/1997	b(6)

COLLECTION:

Clinton Presidential Records
Intergovernmental Affairs
Lynn Cutler
OA/Box Number: 13542

FOLDER TITLE:

ISTEA [Intermodal Surface Transportation Efficiency Act] [Folder 2] [1]

2015-0463-F
db4286

RESTRICTION CODES

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Suzanne Dale

05/06/97 05:19:53 PM

Record Type: Record

To: Richard L. Hayes/WHO/EOP

cc: Lynn G. Cutler/WHO/EOP, SINGH_A @ A1 @ CD @ LNGTWY, Cecily C. Williams/WHO/EOP

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Mayor of Baltimore, MD advance staff/security who can wait in West Lobby**

(b)(6)

[002]

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Council Member
Prince George's County, MD

(b)(6)

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Council Member
Arlington County, VA

(b)(6)

Hon. Glennon Harrison
Council Member
Rockville, MD

(b)(6)

Sharon DeHaney
Special Assistant to the Council Member
Office of Howard County Council Member Vernon Gray, MD

(b)(6)

Laura Whitton
Washington Office - Mayor Daley of Chicago

(b)(6)

Bob Fogel
Associate Legislative Director for
Transportation and Communications
National Association of Counties

(b)(6)

Laurie Saroff
Legislative Counsel
National League of Cities

(b)(6)

Kevin McCarty
Assistant Executive Director
U.S. Conference of Mayors

(b)(6)

Richard Westbrook
Photographer, U.S. Conference of Mayors

(b)(6)

THE WHITE HOUSE
WASHINGTON

*Lynn -
your
copy.
SD*

MEMORANDUM

To: NEXTEA Briefing Participants
From: Suzanne Dale, Office of Intergovernmental Affairs
Re: Tomorrow's Briefing
Date: May 6, 1997

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If you have any questions, feel free to contact me at 202/456-2896.

Tentative Agenda

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Jane Garvey, Deputy Administrator, Federal Highway Administration

Environmental Benefits of NEXTEA

Katie McGinty, Chair, Council on Environmental Quality

Clean Air Benefits of NEXTEA

Fred Hansen, Deputy Administrator, Environmental Protection Agency

Benefits of NEXTEA for Cities and Counties

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Council Member
Prince George's County, MD

(b)(6)

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Council Member
Arlington County, VA

(b)(6)

Hon. Glennon Harrison
Council Member
Rockville, MD

(b)(6)

Sharon DeHaney
Special Assistant to the Council Member
Office of Howard County Council Member Vernon Gray, MD

(b)(6)

Laura Whitton
Washington Office - Mayor Daley of Chicago

(b)(6)

Bob Fogel
Associate Legislative Director for
Transportation and Communications
National Association of Counties

(b)(6)

(b)(6)

(b)(6)

(b)(6)

Len Simon
Wash. Rep. - Mayor
Deedee Corradini - Salt Lake City,
UT

(b)(6)

THE WHITE HOUSE
WASHINGTON

May 5, 1997

MEMORANDUM FOR RICHARD HAYES

FROM: Lynn Cutler and Suzanne Dale, Intergovernmental Affairs

SUBJECT: List of elected officials for NEXTEA Event

Attached please find a list of local elected officials who we would like invited to the NEXTEA event on Wednesday.

Please do not hesitate to contact either of us if you have any questions or need any additional information. We can be reached at 6-2896.

Invitees -- NEXTEA Event

Page 1 of 3

County Officials

Hon. Michael Hightower, Commissioner
President, NACo
Fulton County, GA
p: 404/335-2840
f: 404/730-7122

Hon. Randy Johnson, Commissioner
Hennepin County, MN
President-Elect, NACo
p: 612/348-5295
f: 612/348-5295

Hon. Betty Lou Ward, Commissioner
Wake County, NC
First Vice President, NACo
p: 919/733-1065
f: 919/870-4001

Hon. Doug Bovin, Commissioner
Delta County, MI
p: 906/428-1636
f: 906/789-5197

Hon. Carol Roberts, Commissioner
Palm Beach County, FL
p: 561/355-2202
f: 561/355-3990

Hon. Wayne Hill, Commissioner
Gwinett County, GA
p: 770/822-7097
f: 770/822-7097

Hon. Wayne Curry, County Executive
Prince George's County, MD
p: 301/952-3784
f: 301/952-3784

Hon. Steve DelGiedice, Council Member
Prince George's County, MD
p: 301/952-3238
f: 301/952-3238

Hon. Vernon Gray, Council Member
Howard County, MD
p: 410/313-2001
f: 401/313-3297

Hon. Gerry Highland, Supervisor
Fairfax County, VA
p: 703/780-7518
f: 703/780-1491

Hon. Susan Heselton, Council Member
Harford County, MD
p: 410/638-3347
f: 410/893-4972

Larry Naake, Executive Director
National Association of Counties
p: 202/393-6226
f: 202/393-2630

Reginald Todd, Legislative Director
National Association of Counties
p: 202/393-6226
f: 202/393-2630

Bob Fogel, Staff
National Association of Counties
p: 202/393-6226
f: 202/393-2630

Mayors

Hon. Richard Daley
Mayor of Chicago, IL
p: 312/744-3300
f: 312/ 744-2324

Hon. Jerry Abramson
Mayor of Louisville, KY
p: 502/574-3065
f: 502/574-4317

Hon. Victor Ashe
Mayor of Knoxville, TN
p: 423/215-2040
f: 423/215-2978

Hon. Deedee Corradini
Mayor of Salt Lake City, UT
t: 801/535-7704
f: 801/ 535-6331

Hon. J. Christian Bollwage
Mayor of Elizabeth, NJ
p: 908/820-4170
f: 908/820-0130

Hon. Roxanne Qualls
Mayor of Cincinnati, OH
p: 513/352-3250
f: 513/352-5201

Hon. Bill Campbell
Mayor of Atlanta, GA
p: 404/330-6021
f: 404/658-7361

Hon. Kenneth L. Barr
Mayor of Fort Worth, TX
p: 817/871-6118
f: 817/871-6187

Hon. Tom Murphy
Mayor of Pittsburgh, PA
p: 412/255-6780
f: 412/255-8602

Hon. Edward Rendell
Mayor of Philadelphia, PA
p: 215/686-2181
f: 215/ 686-2170

Hon. Dennis Archer
Mayor of Detroit, MI
p: 313/224-6340
f: 313/224-4128

Hon. Kurt Schmoke
Mayor of Baltimore, MD
p: 410/396-3835
f: 410/ 576-9425

Municipal Officials

Hon. Mark Schwartz
President, NLC
Council Member,
Oklahoma City, OK
p: 405/297-2570
f: 405/297-2570

Hon. Brian O'Neil
First Vice President, NLC
Council Member
Philadelphia, PA
p: 215/686-3422
f: 215/563-3162

Hon. Clarence Anthony
Second Vice President
Mayor, South Bay, FL
p: 561/996-6751
f: 561/996-7950

Hon. Greg Bieli
Chair, NLC Transportation Committee
Council Member, Scottsdale, AZ
p: 602/994-2550
f: 602/994-2738

Hon. Mary Poss
Vice-Chair, NLC Transportation Comm.
Council Member, Dallas, TX
p: 214/670-4050
f: 214/670-5115

Hon. Robert Benke
Vice-Chair
Mayor, New Brighton, MN
p: 612/638-2100
f: 612/638-2044

Hon. Roosevelt Belt
Council Member
Birmingham, AL
p: 205/254-2294
f: 205/254-2603

Hon. Dale Pope
Council Member
Everett, WA
p: 206/259-8703
f:

Hon. John Robert Smith
Mayor
Meridian, MS
p: 601/485-1927
f:

Hon. Ken Barr
Mayor
Fort Worth, TX
p: 817/871-6193
f:

May 27th 7th
 Nexera Briefing

June Survey
 Three priority areas:
 Environmental Programs:
 Transp. & enviro. absolutely linked -
 CEMAQ.
 Transp. Enhancement } increased by 30%
 real projects, real benefits
 IN NEXERA -

② DOT's commitment, safety
 NITSA - 30%
 Seat belts

③ Strengthening transportation partnerships -
 need strong partners
 effective voice -

+ tell
 Baren that
 we had
 people from
 So. Cal. coalition
 at briefing
 (her friend)

balanced transportation system - options
 expanded -
 Added elig. Amtrak
 intermodal -

Principles reflected in the bill -
 Today's committee bills being developed -
 Some areas reasons / concerns -
 esp. CEMAQ & enhancements -
 want allow flex of enviro. funds
 for other purposes

we
 want
 CEMAQ
 & enhancements

New partners > table -

Ratelle
 McSherry

POTUS announced bill & urged passage
 as is - (Yeah right)

Environmental bill -
 so much of battle has been on the
 details -

Vibrant Threads - enviro. partnership

- A bill says to communities that they have the voice
- B CEMAQ to meet new clean air challenges
- C enhancement - seeing transp. as element of environment.

David Gardner } EPA - transp. bill will keep clean
 Sup. Admin. } up air quality needs
 Policy - DEXTER - air quality challenges -

down because of CEMAQ initiatives { natural emissions cut
 carbon monoxides
 others

Schmoke

All locals have joined together and are unified -
 congestion mitigation and air quality -
innovation

Frank Whitman

Surface Transp. Policy Project -
 ISTEA has brought Governors & local officials together -
 Use mark-up planned 1st Memorial Day Break
Coalition - everyone / bikers / walkers / landscapers
 everyone -

1/3 all air quality problems from surface transp.

critical
vote
enviro.
comm.

} Enviro. community will judge this bill as ~~the~~ lit musket in Congress.

CEMAQ says you do both.
Senate bill adds #2 b. to CEMAQ
Many state officials don't like
program left. 4% dedicated &
labeled -

3/ Enhancement programs -
often roads received the very scenery
they were meant to convey people to -

focus funds - state highway engineers
don't like it -
make it:

easier & cheaper -

* Key to making volunteerism work -
bringing in. 1. Transp. system -
bikers, enviros, others & clean-ups

good
pt. C POTUS
& O POTUS

~~Q/A's~~

need comm. mt. on nets
Katy - will begin to develop a list of bottom
lines -

(UP) Thanked everyone -

drafting going on now -
Sec. by Memorial Day.

drafting critical

CEMAQ & enhancement.

Steve

Palmer - on bill - emph. priority -
no changes - expand it -
incr. \$ -

CEMAQ more vulnerable -
kept asking about #'s & real
workability.

Take away CEMAQ & we have
an unfunded mandate -

~~3~~

other bills that are sensitive to CEMAQ.
Chaffee & Maynickan
Malinari

snapshots & bill

Step 21 - Warner - donor states -
not kind, CEMAQ "flexibility" hurt badly
Hawkins - Barrow - Western state -
has CEMAQ & enhancements.

ISTEA works. Chaffee & Maynickan

uncommitteds' committee

Allard

Reid - uncr.

Grnd. Mo.

Dutchman - Ho. to

need to
communicate
that we
won't be
forced by
cutting
CEMAQ

keep clear on flexibility issue -

Some members thinking about CEMAQ that
deals & funding formula

ongoing dialog = staffer

AASHTO ~~get~~ only deals = formula issues -
analysis done by DOT & EPA -

Janis working = Dep. Secy. DOT

Stand:
need: statement
from Secy.
on enviro.
issues in
the bill -

"local control" often means state -
we are strong on local - MPO's -
cities & counties -
"taking \$ away - then looking
at public participation"

nally troops, & field -
not enough play on environment.
piece - this -

huge
battle

budget agent. - says this is all the \$
we're going to get -

Myth / Reality Fact Sheet

Flexibility within categories
it's about transferability

Deann "ISTEA Works"

Reps: allows CEMAP \$ to be transferred to state cost's.
low impact -

4% > total

locals will be screwed by state -

* states = low CEMAP & enhancement. are
getting to get rid of programs

JAWO - DEP. SEC. Y

~~How~~ "flex" is attempt to eliminate CEMAQ
"enhancement"

Steve Mandates issue a big one -
adapt "offensive" - do sub-allocation
to local - so states don't have complete
control -

Need more
data - not
sure about
CEMAQ on
hill - members
need to hear data

Status > report on CEMAQ

how can we project (NEXT EA -
want to be precise on predictions -
methodology in question -
must be credible, conservative
and transparent

Mike/Jim

John Harsley -

David
Turnquist } OMB

THE WHITE HOUSE
WASHINGTON

Agenda
White House Briefing on NEXTEA
Wednesday, May 7, 1997
Roosevelt Room, 10:00 a.m.

WELCOME AND INTRODUCTION

Jane Garvey
Deputy Administrator
Federal Highway Administration

REMARKS

ENVIRONMENTAL BENEFITS OF NEXTEA

Kathleen McGinty
Chair, Counsel on Environmental Quality

CLEAN AIR BENEFITS OF NEXTEA

David Gardiner
Assistant Administrator for Policy, Planning and Evaluation
U.S. Environmental Protection Agency

BENEFITS OF NEXTEA FOR CITIES AND COUNTIES

Hon. Kurt Schmoke
Mayor of Baltimore, Maryland

NEXTEA AND LOCAL LAND USE PLANNING

Hank Dittmar
Director, Surface Transportation Project

Hon. Albert Gore, Jr.
Vice President of the United States

QUESTIONS AND COMMENTS

Jaro DOT
Linda Harrison
THE WHITE HOUSE
WASHINGTON

20th
Call
Archer
DSCM
Joan Crigger
Meyers

MEMORANDUM

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From: Suzanne Dale, Office of Intergovernmental Affairs
Re: Tomorrow's Briefing
Date: May 6, 1997

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Meyers

Joan K. Bigger USCM

*Albert Eisenberg
Council - Fairfax*

*Wash. MPO
on hand*

Suzanne Dale

05/06/97 05:19:53 PM

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To: Richard L. Hayes/WHO/EOP

cc: Lynn G. Cutler/WHO/EOP, SINGH_A @ A1 @ CD @ LNGTWY, Cecily C. Williams/WHO/EOP

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Rockville, MD

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Special Assistant to the Council Member
Office of Howard County Council Member Vernon Gray, MD

(b)(6)

Laura Whitton
Washington Office - Mayor Daley of Chicago

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Bob Fogel
Associate Legislative Director for
Transportation and Communications
National Association of Counties

Laurie Saroff
Legislative Counsel
National League of Cities

Kevin McCarty
Assistant Executive Director
U.S. Conference of Mayors

Richard Westbrook
Photographer, U.S. Conference of Mayors

late addition—

Len Simon
Wash. Rep. - Mayor
Deedee Corradini - Salt Lake City,
UT

(b)(6)

THE WHITE HOUSE
WASHINGTON

Attendees

White House Briefing on NEXTEA
Wednesday, May 7, 1997
Roosevelt Room, 10:00 a.m.

Christopher Boylan
NY Metropolitan Transportation Authority

Thomas Shellabarger
U.S. Catholic Conference

Shirley DeLibero
New Jersey Transit

Carol Wayman
National Congress for Community
Development

Denise Earley
Southeastern Pennsylvania Transportation
Authority

Allen Greenberg
League of American Bicyclists

Martin G. Hamberger
MGH Associates

Sarah Campbell
Surface Transportation Policy Project

Robert L. Healy
APTA

Marcia Frenz
American Institute of Architects

Deborah Swarts Lipman
DC Metropolitan Area Transit Authority

Bill Wilkinson
Bicycle Federation of America

Steven J. Hewitt
NY State DOT

James B. Young
Linton, Miels, Reisler & Cottone

Hank Dittmar
Surface Transportation Policy Project

Elizabeth Thompson
Environmental Defense Fund

Roy Kienitz
Surface Transportation Policy Project

Dan Costello
National Trust for Historic Preservation

Nancy Willis
Surface Transportation Policy Project

Christine Burdick
International Downtown Association

Hal Hiemstra
Rail-to-Trails Conservancy

Bill Magavern
Public Citizen

Laurie Actman
Rail-to-Trails Conservancy

Emil H. Frankel
New York City Partnership and Chamber of
Commerce

James W. Clarke
Sierra Club

Janet Oakley
Association of MPO's

Timothy Lidiak
National Transportation Enhancements
Clearinghouse

Robert S. Patten
Rails-to-Trails

David Hirsch
Friends of the Earth

Leslie Wollack
American Public Works Association

Douglas Howell
Environmental and Energy Study Institute

Tom Bolger
Government Relations, Inc.

Jeffrey F. Boothe
Oppenheimer, Wolff, and Donnelly

Robert F. Willis
Catholic University Law School

Heather J. Rowe
Natural Gas Vehicle Coalition

Nicholas W. Allard
Latham and Watkins

John Hunter
Irvine Company

Beverly Marshall
Southern California Edison

David Freer
Pacific Enterprises

John Horsley
U.S. DOT

Steve Palmer
U.S. DOT

Barbara Leach
U.S. DOT

Richard R. Kolodziej
Natural Gas Vehicle Coalition

Jane Garvey
U.S. DOT

Gordon Linton
U.S. DOT

John Lieber
U.S. DOT

Debra Alvarez
AARP

Jon Broadway
Montgomery Transportation Coalition, Inc.

Michael Repogle
Environmental Defense Fund

Julia Philpott
International Institute for Energy
Conservation

Louis Finch
The Electric Car Company

William Cahill, Esq.
Tri-State Transportation Campaign &
Rutgers Environmental Law Clinic

Lois Athey
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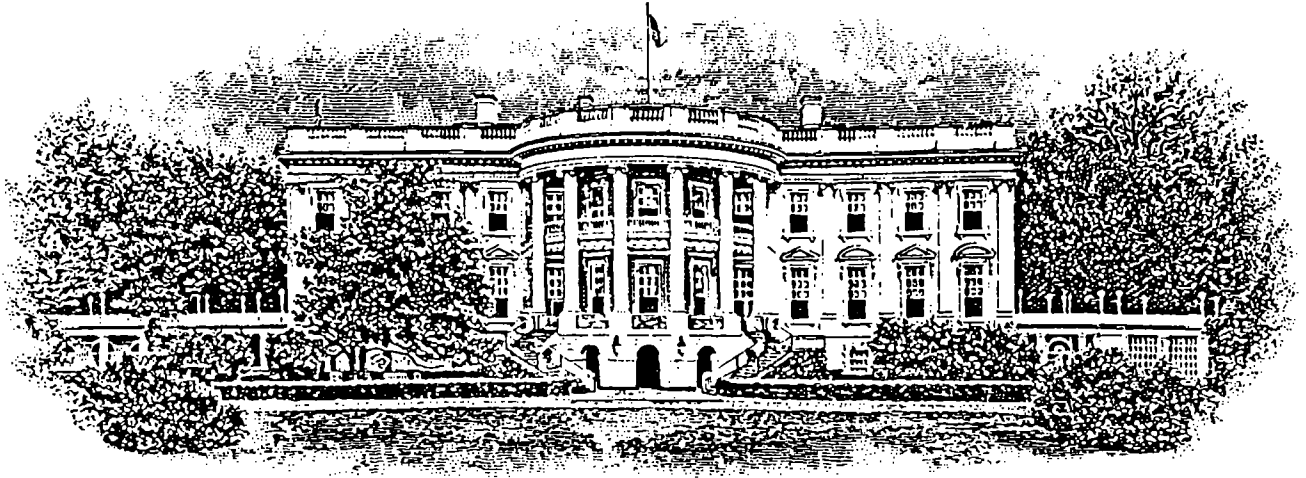
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THE WHITE HOUSE
OFFICE OF INTERGOVERNMENTAL AFFAIRS



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Message: Here's stuff we discussed

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Meeting with Karen Skelton, Lynn Cutler

April 22, 1997

ISTEA/CMAQ

California ISTEACoalition (SoCalGas, SoCal Edison, San Diego Gas & Electric, LA County Metropolitan Transportation Authority, San Bernardino Transportation Commission, Riverside County Transportation Commission, CALSTART, Southern California Association of Governments, Southern California Economic Partnership; Pending: City of Los Angeles, Foothill Transit)

- 1) Supports the reauthorization of ISTEA and the strengthening of CMAQ
- 2) Seeks floor of 15% funding
- 3) Seeks linkage of ISTEA to EPACT petroleum displacement levels
- 4) Permit MPOs to allow public-private partnerships in deciding where to spend CMAQ dollars.

Allowing Vehicle Scrappage in CMAQ

Allowing vehicle scrappage to be funded out of CMAQ raises several issues:

- 1) Targeted vehicles are likely to be retired in the near future.
- 2) No assurances that scrapped vehicles are actually gross emitters.
- 3) Targeted vehicles are relatively small portions of the emission inventory.
- 4) No assurances as to what replacement vehicles will be used.
- 5) Scrappage programs have unpredictable costs.
- 6) Scrappage drives up the cost of used cars, with inequitable impacts on low-income Americans.

LNG Tax

SB 521

Sen. Richard Mountjoy (R-Arcadia) – original bill would make it a misdemeanor in California to sell gasoline with MTBE. Amended bill (which requires 3 state agencies to verify that there are no public health threats associated with MTBE) passed Senate transportation committee 7-1. Bill now says that if state agencies are unable to find that MTBE is safe, a one year moratorium on use would ensue.

48/52 Calif. Regis. on ISTEA

Revised Final Draft
Statement of Principles
California ISTEА Coalition

most ~
Maynihaus bill

The California ISTEА Coalition has been formed to actively support the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA). The mission of the Coalition is as follows:

1. The reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991, with particular emphasis on:

- a) maintaining the Act's focus on the importance of flexible funding, intermodalism, and advanced transportation technologies;
- b) continuing the Act's integration of national transportation and air quality policy objectives;
- c) forging new links between the 1991 Act and the nation's energy diversity/security policy goals expressed in the 1992 Energy Policy Act;
- d) maintaining the Act's focus on the importance of Intelligent Transportation Systems (ITS).

alt. fuel use 2. The reauthorization of the Congestion Mitigation/Air Quality program within ISTEA at increased levels, including an explicit statement which declares that it is the intent of Congress that the highest priority be placed on innovative strategies or investments in CMAQ projects which maximize air quality and/or energy diversity benefits. In addition, CMAQ should allow for public-private partnerships. Under no circumstances will alternative fuel vehicle expenditures under the CMAQ program be less than 15 percent in any Fiscal Year.

3. Increased funding for ISTEA, including shifting the existing 4.3 cent/gallon federal gasoline tax to fund specified ISTEA activities. This will raise about \$4.1 billion per year.

4. Accelerate expenditure of the Federal Highway Trust Fund.

alt. fuel use 5. The reauthorization of research and technology programs within ISTEA at increased levels (approximately \$100 Million per year increase). There should be increased emphasis through new or existing programs on research, deployment and technology transfer programs to meet the air quality, energy diversity, energy security and intermodal goals of the Act. This program could include a requirement for non-federal matching funds and/or allow public-private partnerships.

6. The introduction of a freight factor in determining the minimum allocation to the states of the non-transit portions of ISTEA, and/or the creation of a goods movement program in the Act to increase the nation's global competitiveness by improving the U.S. freight and goods movement system.

*So. Cal. → more electric & nat. gas. funded 100%
CMAQ - would more up %*

SB 521 Gasoline: MTBE.

BILL NUMBER: SB 521 AMENDED 04/07/97

AMENDED IN SENATE APRIL 7, 1997

INTRODUCED BY Senator Mountjoy Senators Mountjoy, Haynes, Johannessen, Knight, and Monteith (Coauthors: Assembly Members Frusetta, House, Margett, and McClintock)

FEBRUARY 24, 1997

An act to add Section 43013.1 to the Health and Safety Code, relating to gasoline.

LEGISLATIVE COUNSEL'S DIGEST

SB 521, as amended, Mountjoy. Gasoline: MTBE.

(1) Existing law does not prohibit the sale of gasoline containing methyl tertiary butyl ether (MTBE).

This bill would make it a misdemeanor to sell gasoline containing methyl tertiary butyl ether (MTBE). The bill would impose a state-mandated local program by creating a new crime. The bill would prohibit the State Air Resources Board from permitting or requiring the use of MTBE in gasoline. The bill would make Legislative findings and declarations in that regard.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

SECTION 1. (a) The Legislature hereby finds and declares all of the following:

(1) Methyl tertiary butyl ether (MTBE) spreads rapidly through water and could pose a grave threat to the purity of California's water.

(2) MTBE has been found in California's groundwater and reservoirs.

(3) MTBE poses a cancer and health risk.

(4) MTBE is a threat to public health and safety and to the environment.

(b) For those reasons, the Legislature determines that it is necessary to prohibit the use of MTBE in gasoline and to make the sale of gasoline containing MTBE a misdemeanor.

SEC. 2. Section 43013.1 is added to the Health and Safety Code, to read:

43013.1. (a) No person shall sell gasoline containing methyl tertiary butyl ether (MTBE). A violation of this subdivision is a misdemeanor.

(b) The state board shall not adopt any rule or regulation that permits or requires the use of MTBE in gasoline.

SEC. 2.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.