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LEGISLATIVE Alert

AMERICAN PUBLIC TRANSPORTATION ASSOCIATION



September 23, 2011

Senate Appropriations Committee Approves Fiscal Year (FY) 2012 Transportation Funding Bill

On Wednesday, September 21, the Senate Appropriations Committee approved the FY 2012 Transportation, Housing and Urban Development, and Related Agencies (THUD) bill that sets spending levels for transportation program in the upcoming fiscal year. In the House, the THUD Appropriations Subcommittee marked up its version of the bill on September 15, but the bill has not yet gone to the full House Appropriations Committee. Since neither chamber is expected to complete action on its respective bill, the Congress is separately working on a continuing resolution (CR) that would fund transportation and other programs through November 18.

The Senate THUD appropriations bill would fund Federal Transit Administration (FTA) formula and bus grant programs at \$8.361 billion in FY 2012, \$18 million above the current level. The bill would fund the New Starts Capital Investment Grant program at \$1.955 billion in FY 2012, a \$358 million increase over the FY 2011 level. It includes language directing bus rapid transit (BRT) projects to be funded under the Bus and Bus Facilities program rather than the New Starts program. The Senate bill also includes \$25 million for the FTA's greenhouse gas and energy reduction (TIGGER) grant program and \$150 million for Washington Metropolitan Area Transit Authority (WMATA) funding. The bill provides a total of \$10.629 billion for FTA programs compared to \$10.3 billion enacted for FY 2011.

The bill also provides \$550 million for National Infrastructure Investment (TIGER) grants, through the Office of the Secretary of the U.S. DOT. During full committee markup of the Senate bill, the committee added \$100 million for Federal Railroad Administration (FRA) high-speed and intercity passenger rail grants under an amendment offered by Senator Richard Durbin (D-IL). It also provides \$936.8 million for Amtrak capital grants and \$544 million for Amtrak operating grants. The Senate measure provides \$90 million for HUD's Sustainable Communities Initiative, which supports the interagency partnership between DOT, HUD, and the Environmental Protection Agency, a program that was not funded in the House subcommittee bill. Finally, the bill would provide \$41.1 billion for Federal Highway Administration highway programs.

The House subcommittee bill, in contrast, would provide a total of \$7.043 billion for FTA programs and \$27 billion for FHWA highway programs. Under FTA programs, the House subcommittee bill includes \$5.2 billion for formula and bus grant programs, \$1.554 billion for new starts, and \$150 million for WMATA. The House version does not provide funding for high-speed and intercity passenger rail or the TIGER and TIGGER programs.

Fiscal Year 2012 Transportation Budget Request Comparison

Program	FY 2011 Enacted (Millions)	FY 2012 Budget Request (Millions)	FY 2012 House Appropriations Subcommittee (Millions)	FY 2012 Senate Appropriations Committee (Millions)
Federal Transit Administration				
Total New Budget Authority All FTA Programs ¹	10,017.2	22,350.0	7,043.5	10,602.2
Formula Programs Total	8,343.2	7,692.0	5,200.0	8,360.5
Livable Communities Initiative	0.0	233.5	0.0	0.0
Energy Efficiency/Greenhouse Gas Reduction (TIGGER)	49.9	0.0	0.0	25.0
New Starts/Small Starts	1,594.8	3,235.5	1,544.1	1,955.0
National Research and Technology / Research and University Research Centers	58.9	166.4	45.0	40.0
FTA Operations	98.7	129.7	94.4	98.7
Rail Transit Safety Oversight	0.0	36.6	0.0	0.0
WMATA Preventive Maintenance and Capital ²	149.7	150.0	150.0	150.0
Federal Railroad Administration				
High Speed and Intercity Passenger Rail	0.0	8,046.0	0.0	100.0
Amtrak Operating Grants	561.9	616.0	227.0	544.0
Amtrak Capital and Debt Service	921.8	1,546.0	898.9	936.8
Positive Train Control	0.0	0.0	0.0	0.0
Office of the Secretary of Transportation				
National Infrastructure Innovation and Finance Fund / National Infrastructure Bank	0.0	5,000.0	0.0	0.0
Livable Communities	0.0	10.0	0.0	0.0
National Infrastructure Investments (TIGER)	526.9	2,000.0	0.0	550.0

¹ Net after rescissions and offsets; FY 2012 Budget Request includes Administration State of Good Repair and multi-year investment initiative

² Funds separately authorized under the Passenger Rail Investment and Improvement Act of 2008

House Passes Continuing Resolution (CR) to Fund Government Operations Through November 18; Senate Leaders Seek Changes to House CR

Early Friday morning, the House of Representatives approved a Continuing Resolution (CR) to fund government operations through November 18 by a vote of 219 – 203. The Senate responded to the House later in the morning with a procedural vote that essentially rejects the House bill and requires additional actions by both chambers. Disagreements between House Republicans and Senate Democrats relate to disaster relief spending and budget offsets to that spending proposed by House leaders. Enactment of the CR must occur before the current fiscal year ends on Friday, September 30, in order to allow spending on federal government programs to continue. The House and Senate continue negotiations over the legislation, with a final resolution not expected until next week.

SAFETEA-LU Extended Through March 31, 2012

Last week, Congress approved a six-month extension to SAFETEA-LU, the federal surface transportation authorizing law, which was set to expire on September 30. The bill extends federal transit and highway spending authority and federal motor fuels taxes for the same length of time. The extension provides spending authority at FY 2011 spending levels and does not make any program or policy changes.

This extension, through March 31, 2012, provides the House and Senate authorizing committees time to reach an agreement on a longer term authorization bill.

For questions on these issues, please contact Brian Tynan of APTA's Government Affairs Department at (202) 496-4897, or btynan@apta.com.



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