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## Debate in Congress today over transit funding could have impact in Dallas, Houston



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Money is tight for highways everywhere, and that includes the U.S. Congress. Republicans in the House transportation committee have just moved a bill that would stop diverting highway trust fund dollars to mass transit. It has provoked a firestorm of opposition.

The U.S. Congress is moving forward with a bill that would strip transit funding out of the Highway Trust Fund, a move that upends an Ronald Reagan-era structure that has meant billions in guaranteed funding for mass transit.

Moments ago, Democrats on the Ways and Means Committee lost their bid to strip out of the overall transportation funding bill a provision that would stop using any of the highway trust fund for mass transit.

Republican prevailed 22 to 15 to reject the amendment, and just a few seconds ago voted 20-17 to send the bill with factor to the full House. Three Texas Republicans serve on the bill -- Reps. Sam Johnson, Kevin Brady, and Kenny Marchant -- and each voted with their party. Rep. Lloyd Doggett, a Democrat, voted with his party, too.

It will join on the House floor a companion bill that was passed through the House transportation committee earlier this morning after a marathon markup session. That bill, the long-awaited transportation reauthorization bill authored by Rep. John Mica, R-Florida, would authorize transportation spending for the next four to six years. Mica has called it the most sweeping reform of transportation funding in modern history.

Transportation Secretary Ray LaHood has called the same bill the "worst bill" he has seen in decades. He added, in an interview with Politico, Thursday: "This is the most partisan transportation bill that I have ever seen."

But it is the budget's committee's fight over the transit provision that has prompted the strongest and most united reaction across the country.

Democrats warned that the move to strip transit funding out of the highway trust fund is so radioactive with business and transportation groups across the country that it will not prevail.

"This is a dead end. This can't pass. It's irresponsible," said Sandy Levin, D-Michigan. Levin, the ranking member on the committee, said the majority's plan to find \$40 billion in the general fund for transit over the next five years will not ease concerns over the long-term implications of removing transit from the trust fund.

Here's why this is a big deal: Money collected from gas taxes, and a handful of other sources, flow directly into a special account in Washington, known as the Highway Trust Fund. Spending out of that account does not require annual appropriations as do expenditures from the general fund.

Instead, the Congress authorizes transportation funding every five years or so and the highway fund spends the money during that time without involvement from the Congress.

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By kicking transit out of that system, it leaves any transit spending decisions subject to the same budget and deficit fights that most spending has to contend with, and -- transit advocates fear -- is really just a way to cut spending for transit.

Republicans were quick to point out that the vaunted "certainty" that comes from having transit part of the highway trust fund is only as good as the Congress's ability to reliably pass the multi-year reauthorization bill. The bill that Mica is moving through the House, they note, is actually three years over due. The old bill has expired in 2009 and has been on life support through a series of four emergency extension -- each of which required a general fund expenditure to keep the fund solvent.

"Sometimes leading is difficult," said Rep. Tom Reed, R-New York. "But when I see both right and left are upset with us then maybe we are on to something. As a former mayor one of the most frustrating things we had to deal with was developing our our capital plans and seeing constant sort-term signals from Congress. This is a five-year plan that will bring that certainty to local municipalities. In the short time I have been up here I have learned that this is no such thing as a perfect bill."

DART depends heavily on federal funding, though some of it has come through sources unrelated to the highway fund, such as the stimulus funding. Spokesman Morgan Lyons said in the fiscal year ending in 2010, DART received \$199.6 million, and in the year that ended last Sept. 30 of last year, the number was \$163.7 million.

"Our budget for FY 12 is \$166.95 million," he said. That includes \$81.6 in grant payments for grants already awarded, but which are paid out over the years. Democrats also have worried that if the transit funding is shifting to the regular budget cycle FTA may not be able to keep its commitments to pay grant recipients in future years.

So the stakes are high for Dallas and other cities, including Houston, which recently received a promise of \$900 million for its rail projects, a key accomplishment touted by Sen. Kay Bailey Hutchison. Fort Worth has a large grant pending before the FTA now as part of its hopes to securing funding for the western half of the Cotton Belt Rail Line.

Hutchison may play a pivotal role in these bills. Any bill passed in the House, of course, will have to be reconciled with a version in the Senate, where she is ranking member of the Committee on Commerce, Science and Transportation.

I've put in a request to hear how she feels about the House moves today and will update the post when her office responds. Unusual in Texas, she has been a strong advocate for transit both in the Texas Legislature and in Congress.

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