



## OCTOBER 1, 2009 – INTERIM REPORT

Happy (or Not So Happy) First Day of FY 2010!

### Appropriations/SAFETEA-LU Extension

It is the first day of the new fiscal year and Congress has completed only one of the 12 FY'10 federal agency funding bills – the Legislative Branch appropriations bill. This is usually one of the least important bills, but this year it became the legislative vehicle for a one-month Continuing Resolution (CR) which temporarily funds all the other federal agencies at their FY'09 funding levels. It also includes a one-month extension of the SAFETEA-LU authorization bill, which as of midnight last night officially expired after six years!

The FY'10 US DOT appropriations bill has been passed by both the House and Senate and committee staffs are currently working to sort out the few differences in the two bills. The goal is to finish the DOT bill as a stand-alone bill in the next few weeks, hopefully before the one-month CR expires. A number of other agency appropriation bills will also likely be completed soon, but a number of others will probably end up being rolled up into a multi-agency bill, a so called “mini-bus”.

While the CR funds the highway and transit programs for one month, the CR does not include a repeal of the SAFETEA-LU Section 10212 \$8.7B rescission of state DOT unobligated highway contract authority. Therefore, the highway rescission goes into effect today – October 1. The separate three-month SAFETEA-LU authorization extension bill which is currently pending in the Senate does include a repeal of the rescission. However, the House-passed version of that bill, HR 3617, does not. If the House and Senate can agree on an offset to pay for the repeal and include the repeal in the short-term extension bill, then the rescission will only be in effect for a few days. But that is still a big “if”. While the House and Senate agreed to move a three-month extension bill rather than the 18-month bill which the Administration supported, controversy over the rescission repeal continues. As of last night there was talk of paying for the repeal with TARP funds left over from the bank bailout.

[Attached](#) is a chart prepared by *Transportation Weekly* which shows the impact of the \$8.7B rescission on each state.

### Climate Change

Today Senator Barbara Boxer (D-CA), the chair of the Environment & Public Works Committee and Senator John Kerry (D-MA) introduced a major climate change bill. Section 112 of the bill requires states and large MPOs to incorporate greenhouse gas emission (GHG) reduction targets into their long-range transportation plans. Section 113 establishes a performance-based grant program at US DOT to reward the best efforts.

In Sec 202 of Division B, 10% of the state and local government energy efficiency allowances are devoted to the grant program established in Sec 113. In Sec 208 of Division B, 44% of state adaptation allowances are devoted to transit. The allowance values and specific funding levels will be filled in when the Chairman's mark is released in two-three weeks.



## PB Washington Update

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[Attached](#) is a summary of the provisions of the Senate bill. Senator Boxer hopes to hold a hearing and a committee mark-up on the bill later this month; however, prospects for a floor debate this year are not promising.

The House previously passed its version of a climate change bill earlier this summer, referred to as the Waxman-Markey bill.