# Aff Uniqueness

### Non-Unique – Transportation Bill Spending

#### Transportation bill increased TIFIA funding

Lemon, former Chief Counsel to the Federal Highway Administration, Rapoport, senior partner and Chair of the Global Infrastructure and Public-Private Partnerships practice, Wojnar, former Associate Director for Federal Policy for the Washington Office of the Governor of New York, 12

(Marcus, Frank, Michael, 6/29, McKenna Long & Aldridge LLP, “MAP-21 Passes Congress, Key Provisions on P3s,” <http://www.mckennalong.com/publications-advisories-3013.html>, Accessed: 7/20/12, GJV)

TIFIA Program Expansion: The Conference Report expands the Transportation Infrastructure Finance and Innovation Act Program (TIFIA) program by authorizing a total of $1.75 billion — $750 million for FY 2013 and $1 billion for FY 2014. The bill also increases the maximum share of project costs that can be funded with TIFIA financing from 33 percent to 49 percent. It also allows TIFIA to be used to support a related set of projects and to set aside funding for projects in rural areas at more favorable terms, and requires the Transportation Department to submit a report summarizing the financial performance of projects that are receiving TIFIA assistance.

Increased Tolling: The Conference Report expands the ability of states to use federal funds for toll roads by granting authority for tolling for new capacity on Interstate Highways, provided that the number of current non-HOV toll-free lanes does not decrease. Before being permitted to toll, states are required to have a law in place that permits tolling. The federal share of toll road projects would be determined by the state but could not exceed 80%. All toll facilities on the federal-aid highway system would be required to incorporate technologies that allow for electronic collections. The agreement also effectively ends the Express Lanes Demonstration Program previously authorized in SAFETEA-LU.

Anti-P3 Bingaman Amendments Dropped: The final Conference Report dropped both "Bingaman amendments," which had been added to the bill during Senate floor consideration by Senator Jeff Bingaman (D-NM) despite strong objections from the nation's governors and P3 advocacy groups. The first amendment would have excluded privatized highways when calculating federal highway funding apportionments to the states, effectively discouraging states from considering P3s to fund infrastructure investments. The second Bingaman Amendment on the amortization of long-term highway leases would have amended the Internal Revenue Code by requiring private companies leasing highways to depreciate the cost of the existing asset over 45 years (not 15 as is currently allowed) while amortizing the intangible "franchise right" to collect tolls over the entire length of the lease.

Rest Areas: The measure prohibits changes of the boundary of any interstate system right-of-way for the construction of an automotive service station or other commercial establishment. However, it allows states to establish rest areas along interstates that could be operated by private entities to provide limited commercial service. Revenues from the operation of such rest areas must be used by states for the operation and maintenance of other rest areas in the state.

P3s in Mass Transit: The final agreement directs the Secretary of Transportation to develop policies and procedures to address impediments to the use of P3s for transit projects. It also requires the Secretary to coordinate, promote and provide technical assistance to public transportation P3s and requires the development of guidance to "promote greater transparency and public access" to P3 agreements involving federal assistance. Lastly, it calls for a nationwide study on the "contracting out" of public transportation operations.

#### Non-unique – MAP-21 increased transit funds

Canada NewsWire, 7-16-12

[“New Flyer Announces Second Quarter 2012 Orders and Backlog”, Lexis]

On June 27, 2012, both the U.S. House of Representatives and the U.S. Senate voted to pass the conference report for the surface transportation bill (MAP-21/H.R. 4348), followed by President Obama signing the bill on July 6, 2012 , at the White House. The President's signature comes 1,010 days after the last surface transportation bill, SAFETEA-LU, expired. The bill provides for a limited increase in Federal Transit Programs, as well as extensions of authorizations for FY 2012 based on current law and is in place until September 2014. New Flyer's President Paul Soubry explained "While we would have preferred a longer term bill, we are pleased that the chapter is closed for now and removes for a few years some of the uncertainty Transit Agencies have had on federal funding".

#### Non-unique – funding for streets, bikers, pedestrians

Fisher, Political Machine, 7-11-12

[“Lee Fisher: Aligning Transportation Priorities for an Urban Nation”, Lexis]

Last Friday, President Obama signed the Moving Ahead for Progress in the 21st Century Act (MAP-21), a long overdue surface transportation bill. After more than 1,000 days since the last bill expired, the passage of this bipartisan infrastructure bill -- which will provide funding for roads, highways, transit, bike paths, and walkways for 27 months -- is a major accomplishment.

The bill succeeds in allocating more money to local governments to make streets safer. Through the Cardin-Cochran provision, grants are available to local communities for ensuring the safety of bikers and pedestrians. Grants will also be made available to fund community-led planning for neighborhoods. This is a step in the right direction of local-led comprehensive planning efforts.

Transportation bill slated to spend tons

Szakonyi, Journal of Commerce Associate Editor, 7/16/12, (Mark, “Transport Bill: Congress's Road to Somewhere; New transportation bill ends the uncertainty on spending, but leaves some major funding questions unanswered,” 2012, <http://www.joc.com/government-regulation/congresss-road-somewhere>, Date Accessed: 7/20, JS)

The surface transportation bill Congress squeezed out in late June appears to be more a deferral of hard decisions than a strategy to fix the nation's crumbling infrastructure.

Granted, **the bill**, signed into law by President Obama on July 6, **will maintain highway spending through the end of September 2014, giving state and local transportation agencies slightly more certainty in long-term project planning**. And the bill likely will cut the average highway construction time to about seven years through the streamlining of environmental reviews.

But the bill, which **ends three years of funding uncertainty** that came with nine short-term extensions since the previous law &mdash; SAFETEA-LU &mdash; expired in September 2009, ducks the issue of finding a revenue source to fund the maintenance and expansion of U.S. infrastructure. Instead, **the $104 billion bill plugs the gap in revenue from the Highway Trust Fund with about $19 billion from the general fund and numerous "offsets" and "pay-fors."**

Related:&nbsp; Breaking it Down .

The latter bag of budget gimmicks, some of which span 10 years, includes a transfer from the Leaking Underground Storage Tank Trust Fund, and the tweaking of pension rules so the government will have more taxable income to tap.

Few of these budgeting tricks will have a direct impact on freight transportation providers &mdash; except, that is for the roughly $108 million less funding U.S.-flag vessels will get to ship foreign food aid, according to reports. Finding such ways to avoid raising the fuel tax or creating another revenue stream, such as charging drivers per miles traveled, will be far harder next time around.

The bill "bought us 27 months to find a new source of revenue," said Janet Kavinoky, executive director for transportation and infrastructure at the U.S. Chamber of Commerce. "We have done more education on the need for user-based revenue. I think members of Congress are getting it."

She admits, however, that the only time the federal fuel tax has been raised was not through transportation legislation but as part of a broader deficit-reduction effort in 1993. The Highway Trust Fund, the recipient of the 18.4-cents-per-gallon gasoline tax, risks bankruptcy shortly after the transport bill expires in late 2014. Negotiations on how to cut $1.2 trillion from the deficit in order to avoid a painful sequestration is one outlet for a hike in the fuel tax, as are talks regarding the soon-to-expire Bush tax cuts.

In terms of helping to provide shippers with more effective infrastructure, the transportation bill takes an important step by calling on the Department of Transportation to create a national freight transportation plan. But the bill doesn't provide the $4 billion sought to improve the designated network of 27,000 miles of highways and roads, nor does it include inland waterways and railroads in its initial freight system vision. Still, it's the first move toward a long-delayed freight policy.

"This compromise legislation shows that Congress has been listening when we've made our case for supporting the systems that move our nation's goods," said Mortimer Downey, a former DOT deputy secretary and now chairman of the Coalition for America's Gateways and Trade Corridors. "We see this as a good platform upon which future steps can be taken to further improve this critical network and its infrastructure."

One highlight for the freight industry is that a $500 million-a-year grant program aimed at funding larger projects with regional and national importance is on track. State transportation agencies also can beef up their freight systems by getting up to 95 percent federal reimbursement for projects that fit into their freight plans and the DOT's national network.

The bill also looks to attract more private investment through increased lending capabilities in the Transportation Infrastructure Financing and Innovation Act, or TIFIA. Federal credit assistance for private **projects will rise from $122 million annually to $750 million in the first year, and to $1 billion in the second year of the bill**. In addition to rural projects getting better lending terms, financing through the TIFIA program will increase from 33 percent to 49 percent. Critics, however, contend stripping project selection criteria, such as economic and environmental impact, weakens the program, leaving the private entity's creditworthiness the only hurdle to gain federal help.

To offset insufficient federal funding to maintain and improve state infrastructure, the bill gives states more leeway in charging fees on toll roads and partnering with companies to privatize highways. Through the bill, states will be able to use federal funding to maintain and build tolled highways, bridges and tunnels.

Public-private partnership advocates also scored a victory through the removal of an amendment that would cut federal highway funding to states that sold or leased toll roads to private companies. Another amendment, which would have tweaked the tax code to make such projects less attractive to private investors, didn't make the final cut.

For legislation caught in the wind tunnel of reduced spending and political posturing, just making it onto Obama's desk ahead of the November elections is a feat. Shippers and transportation providers, however, will likely be less enamored as the U.S. infrastructure worsens and the prospects of a true fix hinges on Congress doing better in two years.

### Non-Unique – Transportation Bill Partisanship

#### Non-unique – tough fights on transportation bill

Snider, Politico Writer, 7/17/12,

(Adam, “Mica relishes role as mentor in House,” <http://www.politico.com/news/stories/0712/78625.html>, Date Accessed: 7/20, JS)

In a short five-month stretch, he saw major aviation and surface transportation bills overcome long odds to win congressional approval. All the while, he kept the heat on the Transportation Security Administration, pressed the feds on why they have so many unused buildings and dug into Amtrak's financial records.

"This whole year has been very intense," he said.

His days leading the panel are numbered - after serving four years in the minority before Republicans reclaimed the House in the 2010 election, his party's rules mean he likely won't wield the gavel next year. Republican sources say he's unlikely to win a waiver from the term limits, and historically GOP leaders have rarely bent the rules.

With his tenure most likely winding down, Mica said he's proud of the work he's done - including surprising lobbyists, reporters and members alike by helping shepherd both FAA and highway bills through Congress.

"Both FAA and the transportation bill, we had to overcome some pretty difficult odds," he said.

In an election year, getting two major spending bills through Congress is no easy task. Stuck between a strong tea party House caucus and a Democratic Senate and White House - and with several contentious issues that had to be resolved by leadership - Mica had to walk a tricky path toward enactment.

When asked what he's most proud of this year, Mica points to the program reforms in the aviation and surface transportation bills.

"Nobody's done this before. You stop and think about the consequences of this. This changes how Washington works. This is a dramatic change," he said. He calls the surface bill the biggest reform since the program was created in 1956 under President Dwight Eisenhower.

And Mica's quick to point out that he did it all without earmarks: "The chairmen always ran away with a huge amount of money, or the committee leaders or the leadership, and that didn't happen this time."

He concedes that the bills aren't exactly the final product he wanted but adds that he got key concessions in each case. In the aviation bill, he touts limits on rural air service subsidies and language letting airports opt out of government-run screening.

For highways, it was a tough battle. "You had to have a strategy, and we wanted the reforms," he said of the negotiations with the Senate.

In the end, Mica points to a new project review process - specifically, a $5 million threshold for projects to win a "categorical exclusion" from environmental reviews. That bill, approved in late June with strong Democratic support in both chambers, was signed into law over the July Fourth recess.

But it was a bumpy road for Mica.

Senate Democrats pounded him for a two-week FAA shutdown caused by squabbles over a short-term policy extension. Democrats in both chambers hit him again for his five-year road and transit bill, which never got to the House floor as originally written. And as that transportation bill was floundering, his own party's leadership privately blamed him for the mess.

Mica and his staff even keep a one-page list of all the negative quotes against him. None of them have fazed Mica, who's always been quick to joke with reporters or crack a knowing smile when he can't outright answer a question.

He recalled one interesting day in late January, when conferees met to sign the long-awaited Federal Aviation Administration conference report. "That was a hell of a day," he said, noting that it was the same day he was dealing with the news that fellow GOP Rep. Sandy Adams would run in Florida's new 7th Congressional District.

Mica might not tout his role in the bill during his campaign against Adams, but he's quick to hit Democrats. He's fond of saying that he was able to do what Democrats couldn't do for four years when they controlled the House, Senate and White House: pass long-term aviation and highway bills.

Mica said his predecessor, former Rep. Jim Oberstar (D-Minn.), waited "pretty much his adult life" to chair the panel but was thwarted by President Barack Obama's request to put off the transportation debate.

Freshman Rep. Larry Bucshon (R-Ind.) said of Mica: "He did things that the opposing party wasn't able to do when they had all three levers of government. To the degree that he's been able to do that, I think it's commendable."

And, as Bucshon and other freshmen attest, sometimes the biggest achievements don't bear a bill number or signatures.

[Note – “He” – Rep. John Mica, Chair of House Transportation and Infrastructure Committee]

# Neg Uniqueness

### AT – Non-Unique – Transportation Bill Funding

#### Transportation bill didn’t increase funding

Sterling, writer for The Dailey-Star Journal, 12

(Sue, 7/16, McClatchy-Tribune Business News, “Transportation bill short-, not long-term help,” [http://dialog.newsedge.com/portal.asp?site=2007100814443105593225&searchfolderid=pg2007100814522209759333&block=default&portlet=ep&nzesm=on&syntax=advanced&display=159567372&action=sitetopics&mode=realtime&nzenb=left&criteria=[company%3D159567372]&searchID=720031&datetime=[t-minus%3D7]&hdlaction=story&storyid=[storyid=E-\_2wgbWY23HpsYwPTFhFhS2Mjg6irZPT9PAS671D7finpNhVNyPC0wlEXiVMbn0]&rtcrdata=on&epname=ECONWRLD&](http://dialog.newsedge.com/portal.asp?site=2007100814443105593225&searchfolderid=pg2007100814522209759333&block=default&portlet=ep&nzesm=on&syntax=advanced&display=159567372&action=sitetopics&mode=realtime&nzenb=left&criteria=%5bcompany%3D159567372%5d&searchID=720031&datetime=%5bt-minus%3D7%5d&hdlaction=story&storyid=%5bstoryid=E-_2wgbWY23HpsYwPTFhFhS2Mjg6irZPT9PAS671D7finpNhVNyPC0wlEXiVMbn0%5d&rtcrdata=on&epname=ECONWRLD&), Accessed: 7/20/12, GJV)

July 16--CONCORDIA -- The 27-month, $104.4 billion transportation bill passed by Congress last month is a short-term measure that transportation officials hope will transition into "something bigger and better" in the next bill, a Missouri Department of Transportation spokesman said. Lee Ann Kell, MoDOT Kansas City District manager, presented a synopsis of the 600-page Moving Ahead for Progress report in the 21st Century Act for the Pioneer Trails Regional Planning Commission's Transportation Advisory Council. She said transportation officials are excited about the bill, the first passed since the previous bill expired Sept. 30, 2009. Since then, she said, work has continued. "We've been working on extensions," she said Thursday, to the bill. The bill is considered short term, she said, because transportation bills typically are six-year bills. The amount of funding in the new bill remains the same, she said, but declining federal gas tax revenue does not cover all expenses. "They have to move money from general revenue to fund it," Kell said. Major changes include reducing core programs from 90 to less than 30, she said. Consolidation means fewer programs to track, she said, and more money going into the remaining core programs. The National Highway Performance Program, interstate maintenance, national highway system and bridge programs remain, as does the Surface Transportation Program, which includes the off-system bridge programs. Congestion mitigation and air quality programs are carried over, Kell said, and the Highway Safety Improvement Program has been allocated increased funds for metropolitan planning. Another major change is the consolidation of the Transportation Enhancement, Safe Routes to Schools and Recreational Trails programs into a combined Transportation Alternatives program. Funding is reduced, she said, but eligibility requirements remain the same. Transit programs also have been consolidated, she said, and will be distributed on a formula basis rather than for earmarks or discretionary projects. The last bill saw "an extreme expansion" of earmarks, Kell said, from 600 previously to 6,000. The bill also expands the innovative financing program, she said. The program provides low-interest loans, through the federal government, that can be leveraged to obtain other funding for major programs. States and agencies receiving transportation funds will be required to use performance measures to show how effectively they use the funds, she said. MoDOT already has tracker measures for most functions, from building bridges to paying invoices "to help in decision making on how we spend money." Efforts to accelerate the project process include time limits on reviewing and approving environmental studies, she said, and use of the design/build concept. "We're excited they passed a two-year bill," Kell said, adding concerns remain about how to raise additional revenue for transportation needs. "We have a lot of needs and lots of expenses to maintain (roads and bridges), but we need more funds." \_\_\_ (c)2012 The Daily Star-Journal (Warrensburg, Mo.) Visit The Daily Star-Journal (Warrensburg, Mo.) at www.dailystarjournal.com Distributed by MCT Information Services

Transportation bill is a step backward from investment

Rodin, Rockefeller Foundation president, 12

(Judith, June 30, 2012, The Atlantic, “How the Transportation Bill Failed America, <http://www.theatlanticcities.com/commute/2012/06/how-transportation-bill-failed-america/2431/>, accessed 7/9/12, YGS)

Whether you drive to work every morning, hop on a subway or bus, or just pull the bike out for a ride around town, you need to pay attention to [the transportation bill that Congress finally passed this week](http://thehill.com/blogs/transportation-report/tsa/235683-lawmakers-exhale-after-heavy-lift-on-transportation-bill). The bill is a significant step backward and falls woefully short of creating a balanced system that serves all Americans and invests adequately in options and our growing metros.
Why does the bill matter? Because transportation is the second highest cost in American households (and the highest if you are a low-wage worker). Traffic costs Americans an estimated 4.2 billion hours and $87 billion in productivity each year. One of every nine of our highway bridges are currently deemed "structurally deficient." The multi-billion dollar surface transportation bill that Congress just passed is what pays for your road improvements, your state-of-the-art bus rapid transit, and it should create or save hundreds of thousands of jobs.

We continue to fund and build the wrong things, focusing on the needs of the loudest lobby rather than the needs of the next generation of Americans.

These transportation decisions touch every American directly, determining access to work and services, the cost of the goods we buy and the amount of emissions we release.
I commend the citizens and policymakers who fought valiantly but unsuccessfully to achieve a much better outcome than what we are left with today. Lawmakers had the opportunity to achieve transformative change. They didn’t seize it. The bipartisan bill that previously passed the Senate would have provided funds to repair structurally deficient bridges. It also imposed a needed degree of accountability on transit authorities and empowered local governments to make streets safer for all users.

In the final compromise, Congress chose to dilute some of these proposals and roll back others altogether, thereby gutting a once promising bill.

#### Transportation bill keeps funds at current levels, which are declining due to decline in gas tax revenue

Clark, writer for statenet.com, 12

(Korey, 4/16, State Net Capitol Journal, “Some hot issues remain hot, while others have cooled,” <http://www.statenet.com/capitol_journal/current>, Accessed: 7/20/12, GJV)

TRANSPORTATION FUNDING: Last month, the U.S. Congress passed a long-term transportation bill for the first time since 2005. Although the measure (HR 4348) does more than just extend federal transportation funding at current levels -- as Congress had done nine times since the last long-term transportation bill expired nearly three years ago -- it still relies mainly on revenue from the federal gas tax, which has remained at 18.4 cents per gallon since 1993 and is projected to fall between $85 billion and $115 billion short of states' needs by 2021, if current spending levels continue. States haven't spent the year waiting around for congressional action. Twenty-five introduced 74 measures, 11 of which have been enacted, according to NCSL's Transportation Funding Legislative Database, which relies on bill tracking information from State Net. Among the more notable bills -- in addition to Illinois' $1.6 billion transportation funding package -- is Pennsylvania HB 3, signed by Gov. Tom Corbett (R) this month, which will allow the state, cities and other public entities to enter into partnerships with private firms to fund, develop and operate transportation facilities. And Maine SB 282, which became law without Gov. Paul LePage's (R) signature in May, puts an economic development twist on transportation bonding, authorizing a $51.5 million bond issue to repair and reconstruct highways and bridges considered vital to the expansion of business interests as well as essential to public safety, in consultation with the business community. Iowa is one of the few states that have considered a gas tax increase this session. But SB 2224, which would have hiked the taxes on gas and diesel fuel -- unchanged since 1989 -- by as much as 10 cents-- per-- gallon over two years, failed to make it out of the Senate Ways and Means Committee. Arizona considered making drivers of electric vehicles contribute to transportation funding with HB 2257, which would have subjected them to a 1 cent-- per-- mile tax. But that bill also failed to get out of committee.

#### Transportation bill ddn’t fix gas tax revenue problem

Brawner, columnist for Arkansas News, 12

(Steve, 7/20, Arkansas News, “Good job on highways, Congress,” <http://arkansasnews.com/2012/07/20/good-job-on-highways-congress/>, Accessed: 7/20/12, GJV)

Before getting carried away, it’s important to note the context: This pretty good bill comes after three years of Congress doing a very bad job on highways. The last highway bill, SAFETEA-LU (don’t even try to translate that acronym), expired in 2009. For three years, highway departments and private contractors have been working with temporary funding extensions as short as a few weeks because that’s all Congress could agree to provide. That made it hard to plan projects that, you may have noticed, almost always take longer than a few weeks. Previous highway bills have funded operations for five or six years, not 27 months. Also, this bill does nothing to address a thorny problem: Gas tax revenues that fund highway construction are rapidly depleting because cars are becoming more fuel-efficient (or not using gas at all). As is so often the case, that discussion has been put off to a later date.

#### The recent transportation bill fell short of bolstering funding provisions

Gorton, former senator of Washington, Archer, former mayor of Detroit, 12

(Slade, Dennis, 7/19, The Hill, “Congress has unfinished business on the transportation front,” <http://thehill.com/blogs/congress-blog/economy-a-budget/239037-congress-has-unfinished-business-on-the-transportation-front>, Accessed: 7/20/12, GJV)

We have consistently emphasized that investments in transportation infrastructure are critically important to the nation’s productivity and economic recovery and to the creation of long-term jobs. Any grand bargain on the federal budget deficit and the national debt should incorporate investing in infrastructure. Still, we should recognize that public capital is limited and that investment resources are constrained, and there must be a premium on better transportation planning, capital programming, and targeting investments toward programs and projects that offer the greatest returns and benefits in terms of economic growth and the achievement of other key national goals. In this regard, there is reason to be concerned about areas where the new surface transportation act may have failed to make sufficient progress. We applaud certain provisions of MAP-21, including the consolidation and simplification of major highway programs, the use of federal funds more effectively to leverage other public and private sources of investment capital through a significant expansion of the TIFIA credit program, the statement of national goals for transportation policy, and the development of performance measures to evaluate investment decisions. However, in significant ways the reforms in MAP-21 fall short. A great deal depends upon on whether the Congress and the Administration that take office in 2013 build upon these foundational steps. Greater emphasis needs to be placed on the preservation and restoration of existing transportation assets. Moreover, while substantially increased funding will be available through the TIFIA program to leverage additional public and private investment in transportation, MAP-21 fails to allow states sufficiently broad or adequate discretion to establish new revenue streams through tolling or the imposition of user charges on existing, as well as on new, facilities. These user-based revenue streams could provide states with some of the greatest potential sources of new capital for investment in transportation infrastructure, and they should not be denied the capacity to tap them.

#### Transportation bill doesn’t change investment

Gorton, former senator of Washington, Archer, former mayor of Detroit, 12

(Slade, Dennis, 7/19, The Hill, “Congress has unfinished business on the transportation front,” <http://thehill.com/blogs/congress-blog/economy-a-budget/239037-congress-has-unfinished-business-on-the-transportation-front>, Accessed: 7/20/12, GJV)

Moreover, while the articulation in MAP-21 of national goals and performance measures are important first steps, there is little in this new legislation that will provide assurance that these goals and measures will make a real difference in how money is to be invested. Without further steps, there is little likelihood that these provisions will provide taxpayers with accountability or the confidence that transportation funds are being invested in the most productive and beneficial ways. Finally, we believe that two other key issues have not been adequately addressed by MAP-21. First, in the absence of strong and significant freight and metropolitan transportation discretionary grant programs, we will not be able to address adequately the issues of interstate commerce, national connectivity, metropolitan mobility, and labor market access. Improvements in these areas are critical to economic growth and enduring prosperity. These discretionary grant programs should, as recommended by BPC, be based on Congressionally-authorized criteria and measured by performance outcomes. Second, the new surface transportation authorization act continues the practice that developed over the last few years of SAFETEA-LU of dependence on transfers of general funds to the Highway Trust Fund in order to meet authorized program levels. Nothing is provided, and no new steps are proposed, toward basing these programs on renewed, reformed, and sustainable forms of user-based funding. This is a critical omission at a time of serious national fiscal and economic challenges.

### AT – Non-Unique – Transit Funding

#### The recent transportation bill cannot solve for mass transit

Fisher, former lieutenant governor of Ohio, 12

(Lee, 7/11, Huffington Post, “Lee Fisher: Aligning Transportation Priorities for an Urban Nation,” <http://www.huffingtonpost.com/lee-fisher/transportation-bill-_b_1664879.html>, Accessed: 7/20/12, GJV)

Last Friday, President Obama signed the Moving Ahead for Progress in the 21st Century Act (MAP-21), a long overdue surface transportation bill. After more than 1,000 days since the last bill expired, the passage of this bipartisan infrastructure bill -- which will provide funding for roads, highways, transit, bike paths, and walkways for 27 months -- is a major accomplishment. The bill succeeds in allocating more money to local governments to make streets safer. Through the Cardin-Cochran provision, grants are available to local communities for ensuring the safety of bikers and pedestrians. Grants will also be made available to fund community-led planning for neighborhoods. This is a step in the right direction of local-led comprehensive planning efforts. On a macro level, though, the bill does not appropriately align available resources with the needs of constituents. The bill gives the vast majority of funding to highways and roads, modes of transportation that are becoming increasingly antiquated due to demographic shifts -- for the first time since the 1920s, urban growth is outpacing suburban growth. Given that urban dwellers are more likely to use public transit and alternative transportation infrastructure, a strong transportation bill should increase dedicated funding to those modes of transit as more people choose to live in cities. Yet, the exact opposite happened. Since the last transportation bill, funding for alternative transportation decreased significantly. Bike/ped funding suffered a 33 percent decrease, and states can choose to reallocate much of that funding to roads, decreasing it by an additional 33 percent. Given that 2011 had one of the highest levels of mass transit ridership in decades (10.4 billion trips), and between 2001 and 2009 the average annual vehicle miles traveled (VMT) by Americans ages 16 to 34 fell by close to a quarter while transit ridership, biking, and walking increased, transit should receive a greater share of the funding. In this regard, MAP-21 fails to meet current transportation demands. Under this type of allocation scheme, cities cannot keep up with the same breadth of transportation that is found in many suburban areas. While transit must compete for funding, highway funding is guaranteed, and the government is further incentivizing driving by offering a $240/month tax cut for parking and only a $125/month tax cut for using public transit. These numbers should be, at minimum, re-equalized (as they were in the Stimulus) to reward urban dwellers as well. The United States is not a car-dependent country any more. An ever-growing portion of the population now lives in cities and is choosing to live without private automobiles. To create transportation options for this changing demographic, Congress should allocate funding to support public transit, biking, and walking in the same manner it has been supporting driving for decades. The good news is that it is already time to start thinking about the next surface transportation bill. This time, though, America needs a bill for the 21st century that strongly supports alternative transportation and recognizes that urban density is an increasingly important priority for many Americans, young and old.

### AT – Non-Unique – Transit & Alternative Transportation Funding

Funding for public and alternative transportation cut

Fisher, Political Machine, 7-11-12

[“Lee Fisher: Aligning Transportation Priorities for an Urban Nation”, Lexis]

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### AT – Non-Unique – Transportation Bill Partisanship Now

#### No partisanship – MAP-21 was bipartisan

Brawner, columnist for Arkansas News, 12

(Steve, 7/20, Arkansas News, “Good job on highways, Congress,” <http://arkansasnews.com/2012/07/20/good-job-on-highways-congress/>, Accessed: 7/20/12, GJV)

Most important is that the passage of MAP-21 offers a glimmer of hope that maybe Congress can function as a deliberative legislative body. A consensus exists among Democrats and Republicans, as well as business and labor, that investing in highways and bridges is important. But there were areas of disagreement. The Senate wanted more money, but for less than 27 months. The House wanted less money, but over the typical five- to six-year time period. They compromised, and for the first time in three years, we have a highway bill. A pretty good one, in fact. Could members of Congress also come to meaningful agreements in other areas where many share roughly the same goals but disagree over the details, such as deficit reduction and energy independence? I think they can if, as MAP-21’s title suggests, they truly want the country to move ahead for progress in the 21st century.

#### Transportation bill avoided tough debates

Szakonyi, Journal of Commerce Associate Editor, 7/16/12,

(Mark, “Transport Bill: Congress's Road to Somewhere; New transportation bill ends the uncertainty on spending, but leaves some major funding questions unanswered,” 2012, <http://www.joc.com/government-regulation/congresss-road-somewhere>, Date Accessed: 7/20, JS)

The surface transportation bill Congress squeezed out in late June appears to be more a deferral of hard decisions than a strategy to fix the nation's crumbling infrastructure.

Granted, the bill, signed into law by President Obama on July 6, will maintain highway spending through the end of September 2014, giving state and local transportation agencies slightly more certainty in long-term project planning. And the bill likely will cut the average highway construction time to about seven years through the streamlining of environmental reviews.

But the bill, which ends three years of funding uncertainty that came with nine short-term extensions since the previous law &mdash; SAFETEA-LU &mdash; expired in September 2009, ducks the issue of finding a revenue source to fund the maintenance and expansion of U.S. infrastructure. Instead, the $104 billion bill plugs the gap in revenue from the Highway Trust Fund with about $19 billion from the general fund and numerous "offsets" and "pay-fors."

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The latter bag of budget gimmicks, some of which span 10 years, includes a transfer from the Leaking Underground Storage Tank Trust Fund, and the tweaking of pension rules so the government will have more taxable income to tap.

Few of these budgeting tricks will have a direct impact on freight transportation providers &mdash; except, that is for the roughly $108 million less funding U.S.-flag vessels will get to ship foreign food aid, according to reports. Finding such ways to avoid raising the fuel tax or creating another revenue stream, such as charging drivers per miles traveled, will be far harder next time around.

The bill "bought us 27 months to find a new source of revenue," said Janet Kavinoky, executive director for transportation and infrastructure at the U.S. Chamber of Commerce. "We have done more education on the need for user-based revenue. I think members of Congress are getting it."

She admits, however, that the only time the federal fuel tax has been raised was not through transportation legislation but as part of a broader deficit-reduction effort in 1993. The Highway Trust Fund, the recipient of the 18.4-cents-per-gallon gasoline tax, risks bankruptcy shortly after the transport bill expires in late 2014. Negotiations on how to cut $1.2 trillion from the deficit in order to avoid a painful sequestration is one outlet for a hike in the fuel tax, as are talks regarding the soon-to-expire Bush tax cuts.

In terms of helping to provide shippers with more effective infrastructure, the transportation bill takes an important step by calling on the Department of Transportation to create a national freight transportation plan. But the bill doesn't provide the $4 billion sought to improve the designated network of 27,000 miles of highways and roads, nor does it include inland waterways and railroads in its initial freight system vision. Still, it's the first move toward a long-delayed freight policy.

"This compromise legislation shows that Congress has been listening when we've made our case for supporting the systems that move our nation's goods," said Mortimer Downey, a former DOT deputy secretary and now chairman of the Coalition for America's Gateways and Trade Corridors. "We see this as a good platform upon which future steps can be taken to further improve this critical network and its infrastructure."

One highlight for the freight industry is that a $500 million-a-year grant program aimed at funding larger projects with regional and national importance is on track. State transportation agencies also can beef up their freight systems by getting up to 95 percent federal reimbursement for projects that fit into their freight plans and the DOT's national network.

The bill also looks to attract more private investment through increased lending capabilities in the Transportation Infrastructure Financing and Innovation Act, or TIFIA. Federal credit assistance for private projects will rise from $122 million annually to $750 million in the first year, and to $1 billion in the second year of the bill. In addition to rural projects getting better lending terms, financing through the TIFIA program will increase from 33 percent to 49 percent. Critics, however, contend stripping project selection criteria, such as economic and environmental impact, weakens the program, leaving the private entity's creditworthiness the only hurdle to gain federal help.

To offset insufficient federal funding to maintain and improve state infrastructure, the bill gives states more leeway in charging fees on toll roads and partnering with companies to privatize highways. Through the bill, states will be able to use federal funding to maintain and build tolled highways, bridges and tunnels.

Public-private partnership advocates also scored a victory through the removal of an amendment that would cut federal highway funding to states that sold or leased toll roads to private companies. Another amendment, which would have tweaked the tax code to make such projects less attractive to private investors, didn't make the final cut.

For legislation caught in the wind tunnel of reduced spending and political posturing, just making it onto Obama's desk ahead of the November elections is a feat. Shippers and transportation providers, however, will likely be less enamored as the U.S. infrastructure worsens and the prospects of a true fix hinges on Congress doing better in two years.