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108TH CONGRESS
2D SESSION

S. RES. 300

Expressing the sense of the Senate on project earmarking in surface transportation Acts.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2004

Mr. GRAHAM of Florida (for himself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on Environment and Public Works

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RESOLUTION

Expressing the sense of the Senate on project earmarking in surface transportation Acts.

Whereas the House of Representatives adopted a rule in 1914 stating that it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road;

Whereas diverting funds to low-priority earmarks diminishes the ability of States and local communities to set their own priorities and address their own mobility problems;

Whereas the General Accounting Office has reported that demonstration projects reviewed were not considered by State and regional transportation officials as critical to their transportation needs and that over half of the

projects reviewed were not included in State and local transportation plans;

Whereas some earmarks have nothing to do with transportation and may worsen congestion by diverting scarce resources from higher priorities;

Whereas the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) contained 10 earmarks at a cost of $385,925,000;

Whereas the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 132) contained 157 projects at a cost of $1,416,000,000;

Whereas the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914) contained 538 projects at a cost of $6,082,873,000;

Whereas the Transportation Equity Act for the 21st Century (112 Stat. 107) contained 1,851 projects at a cost of $9,359,850,000;

Whereas annual transportation appropriations acts show the same trend in increasing earmarking of projects;

Whereas the funding earmarked for many projects does not cover the full cost of the project and requires State and local communities to cover the unfunded costs; and

Whereas funding of earmarked projects can have a dramatic effect on the rate of return that a State receives on its contributions to the Federal Highway Trust Fund: Now, therefore, be it

1 *Resolved,* That it is the sense of the Senate that—

(1) the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2004 should not include project earmarks;

(2) if earmarked projects are included, the projects should be included within the funding that a State would otherwise receive so as not to penalize other States; and

(3) any earmarked projects should be included in the funding equity provisions of the next surface transportation Act so that the projects do not adversely affect the rate of return that a State receives from its contributions to the Highway Trust Fund.

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