



Congressional Update and Transportation Report



Committee on Appropriations

**Subcommittee on Transportation
and Treasury**

**Subcommittee on
Legislative Branch**

**Subcommittee on the
District of Columbia**

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House Steering Committee

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CONGRESS IS DEALING with a wide variety of complex and important issues that will affect us all, and I look forward to hearing your opinions. It is also important that we discuss the Metro rail referendum, the largest transportation project in Texas history, and that you hear first hand why I oppose Metro's rail plan.

In January, I was appointed as the only Texan on the House Appropriations Subcommittee on Transportation, so I am part of every debate that involves transportation in Texas. I am especially interested in creating a long-term solution that will truly reduce congestion and improve travel time for Houstonians. All of us who live in District Seven have lost countless hours stuck in Houston traffic, most of them on the gridlocked Katy Freeway, west Houston's Main Street.

This is why my highest local priority has been opening up the rebuilt Katy Freeway as fast as humanly possible. The new Katy Toll Road will be the first combination toll road/Interstate in the nation, and since we are using local toll dollars to finish the project, it can be open in five years instead of the original estimate of ten to twelve years.

I am devoted to solving Houston's terrible traffic problems. I am equally devoted to permanently balancing the federal budget and paying off the national debt. To succeed at both goals at a time when we face record national debt and massive deficits at the federal, state and local levels requires us to be very, very careful how we invest our scarce transportation dollars.

We should only invest transportation dollars in projects that are urgently needed, and that will truly reduce traffic congestion and improve travel time. The Katy Freeway reconstruction passes this test.

Metro's rail plan does not pass this test. We urgently need congestion relief outside Loop 610, yet virtually all of Metro's proposed rail would be built inside the Loop where traffic congestion is rarely a problem. Metro readily admits their rail plan will only carry 1% of all traffic in Harris County, cost over \$8 billion, and that it will not reduce congestion or improve travel time. Metro's plan would consume nearly 50% of all transportation dollars in Harris County to carry 1% of the traffic!

We cannot afford to waste the precious few transportation dollars we have on projects that won't relieve congestion or improve travel time. Houston can do far better than this inadequate and excessively expensive Metro rail plan. The Houston Galveston Area Council of regional governments is very close to finishing a comprehensive, long range plan that offers a real solution to reduce congestion and improve travel time. This plan covers our eight county region and includes commuter rail to the suburbs, (where population growth is the highest), divided intersections, wholesale synchronization of lights, "super streets," more lanes on key thoroughfares, toll roads, diverting truck traffic and freight to bypass the city, and expansion of Metro's Park and Ride and bus service.

I am very grateful for the privilege of representing you in Congress, and will do my best to represent you with integrity and consistency as a free-market fiscal conservative who always remembers his job description: *representative*.



Vital information on the Metro rail referendum*

As my newsletter is going to press, it has been two weeks since I sent the following editorial to the Houston Chronicle, yet they refuse to print it while they continue to blast me on their editorial page.

Metro is asking [Houstonians] to approve the single largest construction project in Houston's history on November 4, and every day raises new questions about their ability to pay for it. As the only Texan on the House Appropriations Subcommittee on Transportation, my job requires me to be involved whenever Metro calls an election to build rail, or whenever TxDOT or Harris County propose a highway project, because I am responsible for helping them obtain federal funding.

As a taxpayer, I am opposed to the rail plan. However, I have repeatedly pledged to Metro and to the Chronicle that I will support federal funding for the plan if it is approved. My personal position is that Houstonians can do far better than this massive 73 mile rail plan that was hastily approved and, by Metro's own admission, "might not reduce congestion." I am working with County Judge Robert Eckels and the Houston-Galveston Area Council to develop a "100% Solution" for all of our traffic problems.

The 100% Solution will include many elements: commuter rail lines out to the suburbs where our population growth is highest; more toll roads like the new Katy Toll Road to take the strain off of our highways, opening up more lanes on key thoroughfares in the area, adding new roads to the system, as well as diverting truck traffic from the Port around the city and shifting their freight loads onto trains. Every element of the 100% Solution will be judged against the basic criteria: does it reduce congestion; and does it improve travel time? The 100% Solution is almost ready, and we have the right leadership in Harris County, Austin, and Washington to

develop and implement as much of it as we can afford. But first, we must oppose Metro's plan because Metro will consume nearly half of all transportation dollars in Harris County to carry only 1% of the traffic. We won't have enough money left over for the 100% Solution.

In any referendum election, the first place we need absolute honesty is the ballot language. The ballot is the contract between [Houstonians] and the government. I know from my experience in Austin that there are no state or federal minimum guidelines for ballot language. The only restriction under Texas law is that the ballot language cannot "mislead" [Houstonians]. So I [consulted] Metro in June and July to develop acceptable guidelines for their November ballot language. Metro actually [suggested] the first draft of my new minimum federal ballot requirements on June 26. They watched these new requirements pass the subcommittee, the full committee, survive an amendment to strike them, and eventually pass the House.

The Metro Board consciously decided to ignore these requirements and approve vague ballot language that did not even spell out how many miles of rail they were proposing to build. They knowingly created their "last minute" ballot problem. On August 19, the Chronicle reported that the final rail plan for the November 4 ballot was "cut" by "almost half" to "22 miles" in order to "appease foes." The impression given was that the referendum would be on 22 miles of rail at a cost of \$640 million in bonds, when in fact, Metro was really asking [Houstonians] to give their blessing to a 73 mile rail

system that will ultimately cost \$7.8 billion. Metro finally agreed to abide by these requirements and list the 73 miles on the ballot.

I was recently asked by County Judge Robert Eckels to verify Metro's federal formula projections over the life of the next transportation reauthorization bill (six years). I took Metro's estimates to the Federal Transit Administration (FTA) and asked them to figure out exactly how much formula money Metro should expect to receive. FTA ran the numbers and I discovered that Metro was overestimating their projections by [at least \$50 million]. The numbers FTA used were based on President Bush's reauthorization proposal, which assumes a 2% growth rate every year.

Since the only conceivable way to arrive at Metro's 8% growth estimate would be to assume a massive federal gas tax increase, and President Bush has threatened to veto any bill with a gas tax increase, Metro's numbers are obviously unrealistic. Even more troubling is the fact that Metro has not even asked the loan officer at the bank, the FTA, what level of funding to expect from the bank. FTA's revenue estimates mean that Metro would not be able to build the rail they are asking us to approve, would not be able to maintain their existing bus service without dramatic cuts, would not be able to pay back the \$640 million in bonds, or would not be able to protect the 25% of the penny sales tax that goes to the cities without a tax increase.

Metro's only sources of revenue to pay for this rail plan are their one cent sales tax, federal funding, fare box

money, and whatever modest interest they earn on their investments. Harris County Tax Assessor-Collector Paul Bettencourt and University of Houston economist Barton Smith have already concluded that Metro's sales tax revenue projections are too high, now with their federal formula funding projections being called into question I encourage every [Houstonian] to take a long, hard look at what Metro is selling and ask whether or not we can really afford it.

The more closely I examine Metro's proposal, the clearer it becomes that my duty to protect the integrity of the public treasury requires me to oppose this particular rail plan. I know from my experience in the Texas Legislature and in Congress that there is often a direct relationship between how bad a law is and how big a hurry the authors are in to get it passed. Usually, the faster the law is being rushed into effect, and the less you get to read in advance, and the harder it is to get information from the authors, the worse the law will be on closer inspection. The same is true of Metro's 73 mile rail plan.

**Edited to comply with House rules and regulations.*

Key Issues Before Congress

Winning the War Against Terrorism

I strongly support our Commander-in-Chief, President George W. Bush, in America's war on terror. Every day that goes by without another attack on America is further proof of the success of his leadership. The war in Iraq was necessary to remove a primary source of funding and support for terrorism, and to pin the terrorists down overseas so that we will not have to fight them on our shores. My only disagreement with the President is that I still believe the

American taxpayers should be repaid in full for every dollar we spend on the reconstruction of Iraq, but in the end, I decided to support my Commander-in-Chief in a time of war.

Protecting Our Borders

Security at home first requires us to secure our borders to stop the current flood of illegal immigration. Over one million illegal immigrants will cross our borders this year, and join the eight million who are already here illegally. The Immigration and Naturalization Service (INS) has been a total failure at protecting our borders. Last November, I voted to create the Department of Homeland Security, which effectively abolished the INS and took over responsibility for apprehending and deporting illegal aliens around the country. I have co-authored a bill that places a temporary moratorium on immigration, and have authored legislation to remove financial incentives for immigration by ensuring that illegals do not receive federal entitlements. If necessary, we should deploy the National Guard and hire off duty local law enforcement officers to help secure our southern and northern borders.

Balancing the Budget

I am a lead co-sponsor of a balanced budget amendment to the U.S. Constitution. Balancing the budget is the only way we will be able to pay off our inexcusable \$7.5 trillion national debt. Congress is partly to blame for the current budget deficit because of the explosive growth in spending. As a member of the Appropriations Committee, I am doing my part to help balance the federal ledger by refusing to support over \$375 million in new federal spending. The only funding requests I submitted to the Committee were for vital, cost effective projects such as research and development at the Texas Medical Center, flood control work along Buffalo and Brays Bayou, a countywide freight rail study and a

new radar approach control for the Houston Airport System.

Strengthening Our Economy

Tax cuts and fiscal discipline are the best ways to strengthen our economy. I strongly supported the tax cut package that Congress passed in May, which reduced the tax rates for dividends and capital gains, and accelerated the reduction of the four top income tax brackets as well as the marriage penalty. The House will continue pressing the Senate to make all of President George W. Bush's tax cuts permanent so that our soft economy will continue to improve as taxpayers are allowed to keep and spend more of their own money, and the massive federal government will be forced to downsize as its share of tax revenue declines. I still believe that the best long-term solution is to abolish the IRS and the income tax and replace it with a national retail consumption tax to be administered by the States.

Let Texans Run Texas

I have authored legislation to shift authority over all federal education grant programs back to the State level unless the State Legislature passes a law and voluntarily surrenders control over that specific segment of State public schools to the federal government. As a former state legislator, I know that surrendering control to the feds will be very difficult to explain to local voters who support local control. I have also authored an amendment to the U.S. Constitution that would term limit federal district judges to ten years unless the Legislature of the State in which they serve votes to reappoint them for another ten years. On every bill and on every vote I am always looking for opportunities to change federal law to let Texans run Texas as the Founders intended under the Tenth Amendment.



Important information
inside on the Metro
rail referendum

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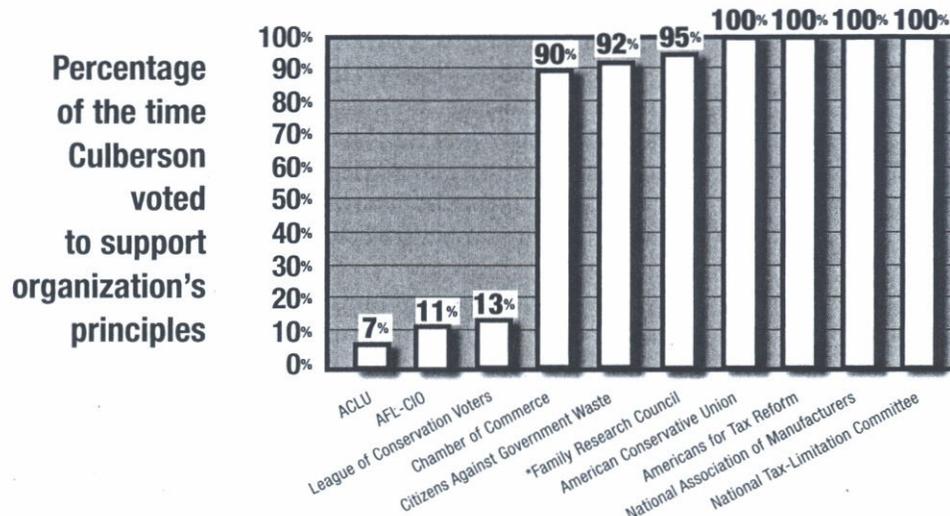


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John Culberson

John Culberson's Voting Record

Percentage is based on 2002 congressional votes scored by a variety of interest groups ranging from liberal to conservative (from left to right)



To see the votes that make up these ratings, use an internet search engine to find each organization's website.

*The Family Research Council is recognizing Congressman Culberson with the True Blue Award for Members of the House and Senate who have consistently voted pro life and pro family in the 108th Congress.