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INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA): A NEW WAY OF DOING BUSINESS

It's always good to get away from Washington and get back to the heartland of America. And, as a Hoosier of long standing, I don't think I'm pressing my luck too much by saying that the real main street of that heartland is the Ohio River. I think that's what one of my teachers in high school used to call a mixed metaphor. Just understand that I'm not saying people on Main Street, USA, are all wet. I was just thinking...Jay Leno's jokes aren't nearly that bad, and they fired his producer. I'd better stick to mass transportation.

I have one quick story I want to tell you before we get into the new federal surface transportation act—the legislation everybody calls ISTEA. And by “story,” I don't mean a gag of any kind, I mean a short report from behind today's headlines.

You've all heard about Hurricane Andrew, but I doubt very much if many of you have heard about the role the Federal Transit Administration (FTA) was able to play in easing the plight of the victims of that awful disaster. Secretary of Transportation Andrew Card was the President's point man in Florida after the storm. As the military arrived and residents of the Homestead/Florida City area began to dig out, what became obvious was the need for basic transportation services.

September 28-30, 1992
What’s interesting, and what leads into our approach to transportation planning under ISTEA, is how it became so crystal clear amid the devastation in South Florida that transportation planning and land-use decisions had to go hand-in-hand. Over 100,000 motor vehicles were destroyed by Hurricane Andrew so an emergency public transit network was virtually as important as food, water, health, and sanitation facilities.

All the patterns of travel that had evolved in the years before the storm simply had no relationship to travel needs after the storm. People had to get from the tent city to the M.A.S.H. unit, to the aid station, to the temporary facility where FEMA (Federal Emergency Management Agency) was accepting assistance applications. People had to get those precious bags of ice home before they melted. And, as economic activity begins to resume in the area, workers need access to their jobs. Secretary Card called FTA Administrator Brian Clymer to Florida. Working in an old airplane hanger at Miami International Airport with Dade County transportation officials, we did the following:

• We worked out a combination of conventional fixed-route transit lines and connecting feeder jitney services into the various tent cities.

• With the plan complete, we approached FEMA and, on the strength of a hand-written application, got their on-the-spot commitment for $50 million to run the system for six months.

• Most importantly, we coordinated the new transit services with the land-use decisions that were being made at the very same time, although the term “land-use decisions” has a terribly bureaucratic sound to it because that’s the way transportation people talk in normal times.

What happened in South Florida was more like making sure they put the M.A.S.H. unit where the jitney could get to it and turn around, or talking to the colonel in charge to make sure the van ride from the tent city to the aid station (two miles away) didn’t take an hour-and-a-half because the military closed off some key intersection.

When you get right down to it, it is nothing less than land-use decision making. We’re proud of the way public transportation is playing a role in helping South Florida work its way back from a state of sheer devastation. But, in the midst of the crisis, we can also see the strong and clear re-affirmation of some things that have a far broader application. I suppose it’s just common sense to talk to that colonel and make sure they don’t put the tent city on the opposite side of an alligator-infested swamp from the M.A.S.H. unit.
But, what if it’s a crisis that’s happening little-by-little, piece-by-piece, day-by-day? What if it’s not talking to a colonel wearing fatigues, what if it’s a developer wearing a three-piece suit? What if it’s not where to put the tent city, what if it’s where to put the multi-million dollar office park? South Dade County was hit with an unbelievable mobility problem in a matter of hours when Hurricane Andrew came ashore. Because the crisis was so intense and so immediate, commonsense solutions were easy to identify.

Without stretching anything at all, it’s perfectly correct to say that every community in America also is facing a mobility crisis—a mobility crisis every bit as severe as the one in South Dade County with this one single exception—it’s happening slowly, and we’re all learning to put up with it. All the trend lines are going in the wrong directions: the average number of travelers in rush-hour automobiles is down; overall patronage on mass transit is holding its own, but doing so in the face of an ever-increasing population; hours of highway congestion are up. The social cost to all of us of the immobility we seem ever more willing to tolerate is beyond calculation!

I don’t want to make too much of this parallel between what’s happening in South Dade County and what’s happening throughout the country, but the more I hear about Hurricane Andrew, the more I grow convinced that the difference between the Homestead area and Fairfax County, Virginia, (where I hang my hat) is that it happened in Homestead in a few hours. It’s happening in Fairfax over many years. But, that’s the bad news or maybe it’s better to say that’s a way to state the problem.

When it comes to finding a solution to that problem, there’s also a long-term parallel to the short-term response that the FTA and FEMA were able to manage in South Dade County. That’s ISTEA—the new re-authorization for both the federal highway program and the federal mass transit assistance program that was signed into law by President Bush last November.

The ISTEA isn’t even a year old yet, but one of the little side developments that I can see in Washington tells me it must be a terribly successful piece of legislation since any number of people and groups are climbing all over each other to take credit for the new law. Of course, my colleague and good friend, Gene McCormick, and I are modest men and we don’t mind one bit if other people want to take a little credit for something we did pretty much single-handedly. Gene worked the Senate and I took care of the House—or was it the other way around?

But, apart from all the gags, there is a strong and broad coalition (and it’s not in Washington, it’s throughout the country) who profess a degree of commitment to the ISTEA, and I truly believe this can be read as an early return on the success of the legislation.
People aren’t looking at ISTEA as just another legislative burden. People aren’t worried about whether grant application forms have changed, or if old deadlines have been replaced by new ones. People are asking how this legislation is going to change—and change for the better—the way they do business.

People are asking how this new law will create more empowerment at the state and local level, and reduce intrusion from Washington. There is one little fly in the ointment that I have to tell you about—Congress. Because Congress seems to be sailing against the wind of what ISTEA is all about—at least on the mass transit side of things. The ISTEA continued a trend that has been developing in every re-authorization of the mass transit assistance program since 1974—it shifted more of the program to objective and stable formula allocation, and reduced the portion of the program that is allocated by discretion. That’s good. What Congress is doing, though, as it appropriated money on a year-by-year basis is two-fold. Both are wrong, and each compounds the other.

We all recognize that budgets are tight and that it’s unlikely the transit program will be funded at its fully authorized level. But Congress is short-changing the formula program and over-emphasizing the discretionary side of things. To make matters worse, Congress has taken to earmarking more and more of the discretionary program. This is a serious disagreement, but it is very much a disagreement over principles and policies, not personalities or politics. I will defend to the death the right of my good friends in the Congress to be completely and totally wrong.

But, I also say that given the spirit of ISTEA, Congress would be far better advised in shifting more transit resources from discretionary programs to formula programs—not the other way around—and letting management criteria, not congressional horse-trading, be the basis of what discretionary grants might remain. ISTEA calls for decisions, but decision-making in the area of transportation investment in ISTEA is the complete antithesis of congressional earmarking. That’s decision making, too, in its way, but it’s an unhealthy kind of decision making.

The strength of the new decision-making authority that ISTEA brings to local officials is that it connects responsibility and accountability. Local officials now have a larger resource than ever before to use for transportation investment. If they make a mistake in using that resource and build a bridge where it’s not needed or construct a rail line that goes nowhere, they’ve short-changed themselves and ill-served their constituents.

ISTEA is bringing responsibility and accountability to local transportation. Responsibility means you’ve got a free hand and can do things on your own, while accountability means you get in trouble if you make a mistake. It’s no wonder so many people are anxious to take credit for it. Thank you very much.