

April 10, 2018

The Honorable Mitch McConnell, Majority Leader, United States Senate
The Honorable Charles E. Schumer, Minority Leader, United States Senate
The Honorable Richard Shelby, Chair, Senate Appropriations Committee
The Honorable Patrick J. Leahy, Ranking Member, Senate Appropriations Committee
The Honorable Susan Collins, Chair, Senate Appropriations Subcommittee on Transportation,
Housing and Urban Development, and Related Agencies
The Honorable Jack Reed, Ranking Member, Senate Appropriations Subcommittee on
Transportation, Housing and Urban Development, and Related Agencies

The Honorable Paul D. Ryan, Speaker, United States House of Representatives
The Honorable Nancy Pelosi, Minority Leader, United States House of Representatives
The Honorable Rodney Frelinghuysen, Chair, House Appropriations Committee
The Honorable Nita Lowey, Ranking Member, House Appropriations Committee
The Honorable Mario Diaz-Balart, Chair, House Appropriations Subcommittee on
Transportation, Housing and Urban Development, and Related Agencies
The Honorable David E. Price, Ranking Member, House Appropriations Subcommittee on
Transportation, Housing and Urban Development, and Related Agencies

Subject: H.R.1892, Bipartisan Budget Act of 2018 and the fiscal year 2019 Appropriations process

Dear Congressional Leaders:

As the organization representing all 50 state departments of transportation (state DOTs), the District of Columbia and Puerto Rico, the American Association of State Highway and Transportation Officials (AASHTO) writes to express our deep appreciation for your efforts to dedicate increased resources to transportation programs in the FY2018 omnibus appropriations bill. We especially appreciate that a portion of those funds were made available through an existing formula program. These additional funds will help states and local governments, transit agencies, and other project sponsors to better meet the growing infrastructure investment needs across all modes of transportation.

As you continue to work on the development of the appropriations package for FY 2019, we once again urge you—as we did for the FY 2018 cycle—to fully fund the authorized programs under the Fixing America’s Surface Transportation Act (FAST Act) and ask that you prioritize additional infrastructure funding made available under the recent budget agreement towards existing formula-based federal highway and transit programs.

Formula programs under the FAST Act remain the most effective investment approach that ensures a predictable, equitable, and nationwide distribution of federal dollars. We ask that additional appropriated dollars—above and beyond those resources committed from the Highway Trust Fund—are utilized under formula program categories that provide states with maximum flexibility to best meet their unique investment needs. Urban and rural areas alike benefit from increased formula-based investments, with project funding decisions made by state and local governments. Utilizing existing state and metropolitan planning processes—instead of decisions made in Washington, DC—allows for a bottom-up, state and local approach to defining and solving transportation needs.

We also urge caution in providing increases in discretionary grant program funding at this time, given the challenges the US Department of Transportation (USDOT) continues to experience in awarding existing grants in a timely manner. Recognizing this challenge, Congress included a strict application and award timeframe in the just-enacted FY 2018 omnibus. We recommend evaluating how the significant funding increase in the TIGER discretionary grant program this year from \$500 million to \$1.5 billion will be managed given the Congressionally-mandated expedited timeframe requirement before committing resources to this and other discretionary grant programs in FY 2019.

Finally, we again ask that you repeal a provision in the FAST Act that requires the rescission of \$7,569,000,000 in unobligated highway program contract authority on July 1, 2020, and that you not include any additional rescissions of contract authority in future legislation. It is important that Congress repeal this impending rescission now in order to provide stability to the federal highway program. Rescinding unobligated highway contract authority is a budgetary artifice that at best impedes the flexibility of state departments of transportation to meet their individual infrastructure needs, and disrupts transportation planning and timely delivery of projects. At its worst, this FAST Act rescission, along with cumulative effect of rescissions from previous appropriations bills, can result in direct funding cuts to states at a time that Congress is looking to support new transportation investments.

We appreciate your consideration of the perspective of state DOTs. If you would like to further discuss, please contact Joung Lee, AASHTO's Policy Director, at 202-624-5818 or jlee@aaashto.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bud Wright', written in a cursive style.

Bud Wright
Executive Director
American Association of State Highway and Transportation Officials