

October 30, 2019

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

Subject: Repealing \$7.6 billion Highway Contract Authority Rescission in THUD

Dear Senate 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 first express our sincere appreciation for honoring the Fixing America's Surface Transportation (FAST) Act-authorized spending levels for highways and transit in the Senate's Fiscal Year (FY) 2020 Transportation, Housing and Urban Development, and Related Agencies (THUD) bill.

In the coming days, as you finalize the THUD appropriations package for FY 2020, we urge you to support SA 1034 offered by Senator John Barrasso. This Amendment will repeal Section 1438 of the FAST Act, which requires the rescission of \$7.6 billion in unobligated Federal-aid highway program contract authority on July 1, 2020. If allowed to take place, the rescission will virtually wipe out all remaining contract authority available to states in core highway formula programs.

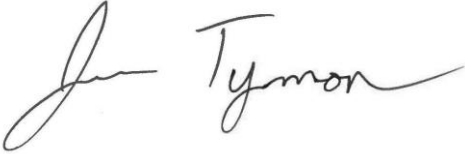
It is especially critical to repeal this provision in Calendar Year 2019 because in the worst-case scenario, states may be forced to deobligate existing projects in order to provide the necessary amount of contract authority to be rescinded. If this happens next spring or summer at the peak of the construction season, the impact will be especially devastating. Furthermore, the lack of funding flexibility resulting from the rescission will severely undermine states' asset management processes which are intended to meet key national performance targets on safety, pavement, bridge, freight movement, congestion, emission, and overall system performance.

Lastly, we would like to point to S. 1992, a standalone repeal legislation passed by the Senate Environment and Public Works Committee on July 30, 2019. We're grateful for the bipartisan leadership of this issue from co-sponsors: Sens. Alexander, Barrasso, Booker, Capito, Cardin, Carper, Cornyn, Cramer, Duckworth, Gillibrand, Inhofe, Markey, Merkley, Roberts, Sanders,

Sullivan, Van Hollen, and Whitehouse. We believe this strong show of support recognizes the urgent need to repeal the FAST Act rescission through any legislation necessary, including THUD, National Defense Authorization Act, or another year-end vehicle.

Thank you for your consideration, and if you would like to discuss further, please contact Joung Lee, AASHTO's Policy Director at 202-624-5818 or jlee@aahto.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Tymon". The signature is fluid and cursive, with the first name "Jim" written in a large, stylized loop and the last name "Tymon" written in a more standard cursive script.

Jim Tymon
Executive Director
American Association of State Highway and Transportation Officials