

November 14, 2019

The Honorable Mitch McConnell, Majority Leader, United States Senate
The Honorable Nancy Pelosi, Speaker, United States House of Representatives

The Honorable Charles E. Schumer, Democratic Leader, United States Senate
The Honorable Kevin McCarthy, Republican Leader, United States House of Representatives

Subject: Repealing the \$7.6 billion FAST Act Rescission of Highway Contract Authority by End of 2019

Dear Congressional Leaders:

The undersigned group of diverse national associations that support investment in our nation's transportation infrastructure is writing once again to urge Congress to repeal—by the end of this calendar year—the impending \$7.6 billion rescission of highway contract authority scheduled for July 1, 2020, under the Fixing America's Surface Transportation (FAST) Act. We ask for this action immediately as part of any moving legislation, including FY 2020 appropriations, the National Defense Authorization Act, or another year-end vehicle.

According to Federal Highway Administration information released November 4 (see Appendix), states held \$5.4 billion in highway dollars subject to the rescission at the end of FY 2019. Yet because Section 1438 of the FAST Act calls for a cut of \$7.6 billion, without repealing this provision, states will face an additional \$2.2 billion reduction in highway contract authority next summer.

It is especially critical to repeal this provision during the current calendar year 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may be forced to deobligate existing projects in order to provide the necessary amount of contract authority to be rescinded.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 effect would be especially devastating.

Furthermore, the lack of funding flexibility resulting from the rescission will severely undermine states' asset management efforts which are intended to meet key national performance targets on safety, pavement, bridge, freight movement, congestion, emissions, and overall system performance.

If you would like to discuss further, please contact Joung Lee, AASHTO's Policy Director, at 202-624-5818 or jlee@aaashto.org.

Sincerely,
Forty-two Transportation Associations and Groups
(Please see next page for the full list.)

Signatories

American Association of Motor Vehicle Administrators
American Association of State Highway and Transportation Officials
American Automobile Association
American Concrete Pavement Association
American Concrete Pipe Association
American Council of Engineering Companies
American Highway Users Alliance
American Iron and Steel Institute
American Public Transportation Association
American Public Works Association
American Road and Transportation Builders Association
American Society of Civil Engineers
American Traffic Safety Services Association
American Trucking Associations
Associated Equipment Distributors
Associated General Contractors of America
Association of Equipment Manufacturers
Association of Metropolitan Planning Organizations
Association of Pedestrian and Bicycle Professionals
Coalition of Northeastern Governors
Governors Highway Safety Association
Institute of Transportation Engineers
Intelligent Transportation Society of America
International Bridge, Tunnel and Turnpike Association
International Slurry Surfacing Association
Laborers International Union of North America
League of American Bicyclists
National Asphalt Pavement Association
National Association of Counties
National Association of County Engineers
National Association of Regional Councils
National Conference of State Legislatures
National Governors Association
National League of Cities
National Ready Mixed Concrete Association
National Steel Bridge Alliance
National Stone, Sand, and Gravel Association
National Utility Contractors Association
Portland Cement Association
United Brotherhood of Carpenters
United States Chamber of Commerce
United States Conference of Mayors

cc:

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 James Inhofe, Chair, Senate Armed Services Committee
The Honorable Jack Reed, Ranking Member, Senate Armed Services Committee; Ranking Member, Senate Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies
The Honorable Mike Enzi, Chair, Senate Budget Committee
The Honorable Bernie Sanders, Ranking Member, Senate Budget Committee
The Honorable John Barrasso, Chair, Senate Environment and Public Works Committee
The Honorable Thomas R. Carper, Ranking Member, Senate Environment and Public Works Committee
The Honorable Shelley Moore Capito, Chair, Senate Environment and Public Works Subcommittee on Transportation and Infrastructure
The Honorable Ben Cardin, Ranking Member, Senate Environment and Public Works Subcommittee on Transportation and Infrastructure
The Honorable Nita M. Lowey, Chair, House Appropriations Committee
The Honorable Kay Granger, Ranking Member, House Appropriations Committee
The Honorable David E. Price, Chair, House Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies
The Honorable Mario Diaz-Balart, Ranking Member, House Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies
The Honorable Adam Smith, Chair, House Armed Services Committee
The Honorable Mac Thornberry, Ranking Member, House Armed Services Committee
The Honorable John Yarmuth, Chair, House Budget Committee
The Honorable Steve Womack, Ranking Member, House Budget Committee
The Honorable Peter A. DeFazio, Chair, House Transportation and Infrastructure Committee
The Honorable Sam Graves, Ranking Member, House Transportation and Infrastructure Committee
The Honorable Eleanor Holmes Norton, Chair, House Transportation and Infrastructure Subcommittee on Highways and Transit
The Honorable Rodney Davis, Ranking Member, House Transportation and Infrastructure Subcommittee on Highways and Transit

Appendix

**STATE-BY-STATE REDUCTION OF FEDERAL HIGHWAY CONTRACT AUTHORITY
SCHEDULED ON JULY 1, 2020, UNDER THE FAST ACT**

Based on Federal Highway Administration calculation released November 4, 2019

STATE	UNOBLIGATED BALANCES SUBJECT TO RESCISSION AS OF 9/30/2019	STATE SHARE	ADDITIONAL STATE REDUCTION TO MEET \$7.6 BILLION TOTAL	TOTAL RESCISSION AMOUNT ON 7/1/2020
ALABAMA	\$42,180,692	0.7877%	\$17,443,382	\$59,624,074
ALASKA	\$30,935,547	0.5777%	\$12,793,071	\$43,728,618
ARIZONA	\$126,126,883	2.3555%	\$52,158,445	\$178,285,328
ARKANSAS	\$57,014,082	1.0648%	\$23,577,573	\$80,591,655
CALIFORNIA	\$197,920,336	3.6962%	\$81,847,872	\$279,768,208
COLORADO	\$65,895,931	1.2306%	\$27,250,569	\$93,146,500
CONNECTICUT	\$12,059,940	0.2252%	\$4,987,262	\$17,047,202
DELAWARE	\$40,562,257	0.7575%	\$16,774,094	\$57,336,351
DIST. OF COL.	\$47,613,324	0.8892%	\$19,689,990	\$67,303,314
FLORIDA	\$141,683,633	2.6460%	\$58,591,776	\$200,275,409
GEORGIA	\$219,706,184	4.1031%	\$90,857,181	\$310,563,365
HAWAII	\$95,954,262	1.7920%	\$39,680,876	\$135,635,138
IDAHO	\$30,931,239	0.5777%	\$12,791,288	\$43,722,527
ILLINOIS	\$319,881,063	5.9739%	\$132,283,448	\$452,164,511
INDIANA	\$80,561,318	1.5045%	\$33,315,285	\$113,876,603
IOWA	\$32,387,487	0.6048%	\$13,393,504	\$45,780,991
KANSAS	\$86,456,592	1.6146%	\$35,753,215	\$122,209,807
KENTUCKY	\$31,482,270	0.5879%	\$13,019,162	\$44,501,432
LOUISIANA	\$111,878,893	2.0894%	\$46,266,339	\$158,145,232
MAINE	\$46,986,937	0.8775%	\$19,430,953	\$66,417,890
MARYLAND	\$110,840,208	2.0700%	\$45,836,802	\$156,677,010
MASSACHUSETTS	\$141,865,417	2.6494%	\$58,666,950	\$200,532,367
MICHIGAN	\$238,279,222	4.4500%	\$98,537,866	\$336,817,088
MINNESOTA	\$53,796,211	1.0047%	\$22,246,856	\$76,043,067
MISSISSIPPI	\$35,391,122	0.6609%	\$14,635,626	\$50,026,748
MISSOURI	\$247,507,096	4.6223%	\$102,353,957	\$349,861,053
MONTANA	\$3,450,078	0.0644%	\$1,426,744	\$4,876,822
NEBRASKA	\$5,095,713	0.0952%	\$2,107,278	\$7,202,991
NEVADA	\$74,836,279	1.3976%	\$30,947,756	\$105,784,035
NEW HAMPSHIRE	\$26,743,315	0.4994%	\$11,059,417	\$37,802,732
NEW JERSEY	\$445,667,662	8.3230%	\$184,301,173	\$629,968,835
NEW MEXICO	\$43,959,189	0.8210%	\$18,178,860	\$62,138,049
NEW YORK	\$166,255,468	3.1049%	\$68,753,199	\$235,008,667
NORTH CAROLINA	\$26,657,753	0.4978%	\$11,024,033	\$37,681,786
NORTH DAKOTA	\$10,236,900	0.1912%	\$4,233,362	\$14,470,262
OHIO	\$238,310,580	4.4505%	\$98,550,833	\$336,861,413
OKLAHOMA	\$39,944,117	0.7460%	\$16,518,469	\$56,462,586
OREGON	\$26,666,872	0.4980%	\$11,027,805	\$37,694,677
PENNSYLVANIA	\$331,769,407	6.1959%	\$137,199,748	\$468,969,155
RHODE ISLAND	\$30,853,945	0.5762%	\$12,759,325	\$43,613,270
SOUTH CAROLINA	\$60,927,192	1.1378%	\$25,195,799	\$86,122,991
SOUTH DAKOTA	\$3,154,327	0.0589%	\$1,304,439	\$4,458,766
TENNESSEE	\$47,016,468	0.8781%	\$19,443,166	\$66,459,634
TEXAS	\$679,423,903	12.6885%	\$280,968,608	\$960,392,511
UTAH	\$9,454,943	0.1766%	\$3,909,992	\$13,364,935
VERMONT	\$39,290,105	0.7338%	\$16,248,009	\$55,538,114
VIRGINIA	\$53,159,159	0.9928%	\$21,983,412	\$75,142,571
WASHINGTON	\$44,301,244	0.8273%	\$18,320,313	\$62,621,557
WEST VIRGINIA	\$85,343,737	1.5938%	\$35,293,005	\$120,636,742
WISCONSIN	\$154,175,064	2.8793%	\$63,757,475	\$217,932,539
WYOMING	\$62,051,944	1.1588%	\$25,660,928	\$87,712,872
TOTAL	\$5,354,643,507	100.00%	\$2,214,356,493	\$7,569,000,000