

# United States Senate

WASHINGTON, DC 20510

May 19, 2017

The Honorable Elaine Chao  
Secretary of Transportation  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

The Honorable Mick Mulvaney  
Director  
Office of Management and Budget  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

Dear Secretary Chao and Director Mulvaney,

We write to reiterate our strong support for the Federal Transit Administration's Capital Investment Grant (CIG) program and to urge you to immediately advance the billions in shovel-ready public transportation projects around the country that could break ground this year. The Trump Administration's threat to cancel nearly 60 transit projects in 20 states is not only contrary to the President's campaign promise to increase investments in our nation's infrastructure, it jeopardizes thousands of American jobs, severely impacting the economies of communities across the nation.

The CIG program is the nation's primary federal grant program for funding major transit capital investments, allowing communities to compete for funding to build and improve subway, commuter rail, light rail, bus rapid transit, streetcar, and ferry projects through its New Starts, Small Starts, and Core Capacity grants. The significant benefits of the CIG program to both large cities and growing communities cannot be overstated. CIG funding allows communities to decrease congestion, improve quality of life for their residents, and increase economic growth and sustainability. According to the U.S. Department of Transportation (DOT), every \$1 billion of direct federal investment in public transportation supports approximately 13,000 jobs and an estimated \$3.5 billion in economic activity.

Congress recently reaffirmed its bipartisan commitment to the CIG program by providing \$2.4 billion—\$236 million more than last year—for the Capital Investment Grant program in the Consolidated Appropriations Act of 2017 (P.L. 115-31). Despite the proposed elimination of future funding for this program in the Administration's Fiscal Year (FY) 2018 budget blueprint, Congress specifically directed the Federal Transit Administration (FTA) to continue to administer and expand the transit program in the Consolidated Appropriations Act of 2017, which the President signed into law earlier this month.

Given the recently appropriated funding and Congress's clear direction, there is no excuse for any delay by the Administration in approving federal grant agreements for the projects that have been fully vetted by FTA, have funding available and are ready for construction to begin this fiscal year. We are particularly troubled by Secretary Chao's response to a question at a recent hearing in which she suggested that the availability of FY 2018 funding (or lack thereof at present) constrained DOT from signing a Full Funding Grant Agreement (FFGA). Both the FAST Act (P.L. 114-94) and the recent Consolidated Appropriations Act of 2017 specifically direct FTA to provide grant agreements to sufficiently rated New Starts and Core Capacity Projects through FFGAs that ensure the Federal government will assist sponsors in completing projects once construction begins. The availability of a funding installment for a future fiscal year does not constrain DOT from signing a FFGA; a FFGA simply commits the Federal

government to working with the sponsor to complete the project, subject to future appropriations becoming available, as specified in law. We fully expect the Administration to follow the law in this regard, and we expect the Administration to sign FFGAs for larger projects and SSGAs for Small Starts projects promptly when project sponsors are ready to execute their grant agreements.

Beyond these shovel-ready projects, we also urge the Administration to refocus efforts to support the advancement of local transit projects through the CIG pipeline. The months wasted by the Administration's misguided suggestion to eliminate the program has further delayed delivery of these critical projects. Any further delay will inflate the cost of projects or prevent projects from moving forward altogether, which would directly result in significant job losses. Furthermore, delays in advancing these projects will result in lost jobs, wasted local dollars that were spent on planning and permitting, and a number of other negative consequences for local communities and our economy.

Our local communities are strongly committed to investing in transit. In fact, Federal support through the CIG program provides only 45 percent of the costs of the average project. Local communities spend significant time and resources going through the CIG program's multi-step process that ensures only meritorious projects are built.

With the support of the Trump Administration, many more projects could soon be ready for construction, but this requires new attention by FTA to advance projects through the CIG pipeline. As you finalize the full FY 2018 budget proposal, we note that the FAST Act reaffirmed long-standing law that FTA must provide Congress with updated ratings for CIG projects in the Annual Report and FTA must recommend funding levels to move sufficiently rated projects forward, both important steps in the project development process. Again, we fully expect the Administration to follow the law in this regard.

Many Americans voted for the President based on his promise to rebuild our nation's infrastructure. We urge you to keep that promise by funding and advancing the billions in transit projects currently in the CIG program's pipeline. Through continued investment in the Capital Investment Grant program, we can work together on a bipartisan basis to create thousands of jobs and help grow the economy in communities that need it the most.

Sincerely,



Richard J. Durbin  
United States Senator



Charles E. Schumer  
United States Senator



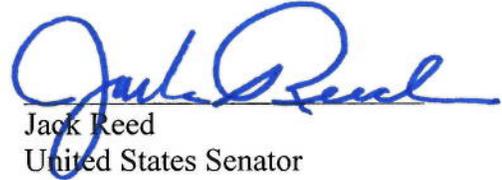
Bill Nelson  
United States Senator



Sherrod Brown  
United States Senator



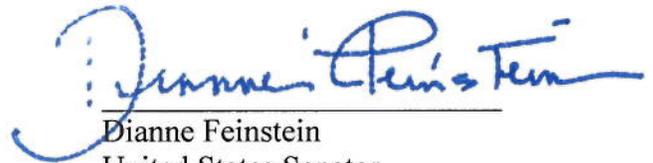
Thomas R. Carper  
United States Senator



Jack Reed  
United States Senator



Patty Murray  
United States Senator



Dianne Feinstein  
United States Senator



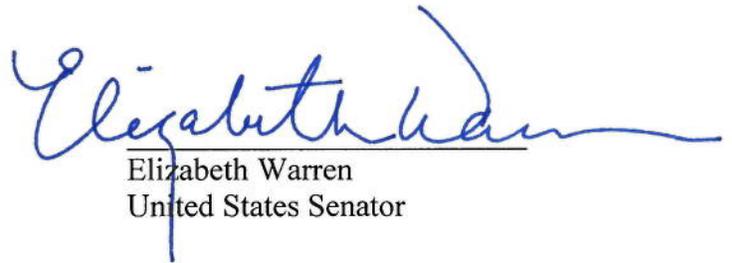
Chris Van Hollen  
United States Senator



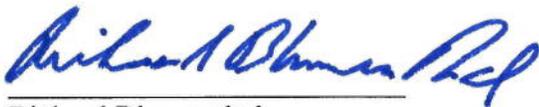
Tammy Baldwin  
United States Senator



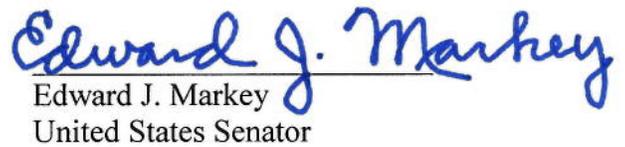
Benjamin L. Cardin  
United States Senator



Elizabeth Warren  
United States Senator



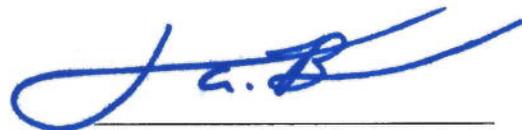
Richard Blumenthal  
United States Senator



Edward J. Markey  
United States Senator



Maria Cantwell  
United States Senator



Cory A. Booker  
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Tammy Duckworth  
United States Senator



Kamala D. Harris  
United States Senator



Kirsten Gillibrand  
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Bernard Sanders  
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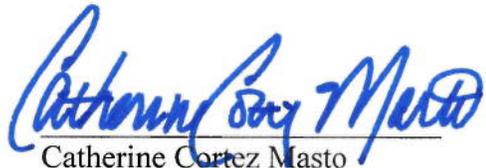
Jeff Merkley  
United States Senator



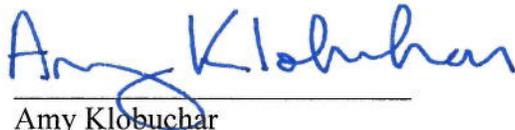
Robert Menendez  
United States Senator



Ron Wyden  
United States Senator



Catherine Cortez Masto  
United States Senator



Amy Klobuchar  
United States Senator



Al Franken  
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