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PUBLIC
TRANSPORTATION
ASSOCIATION**

April 24, 2020

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The Honorable Richard C. Shelby
Chairman
Committee on Appropriations
U.S. Senate
S-128, The Capitol
Washington, DC 20510

The Honorable Susan M. Collins
Chairman
Subcommittee on Transportation,
Housing and Urban Development
and Related Agencies
Committee on Appropriations
186 Dirksen SOB
Washington, DC 20510

Dear Chairman Shelby, Ranking Member Leahy, Chairman Collins, and Ranking Member Reed:

On behalf of America's \$74 billion public transportation industry, which directly employs more than 435,000 people and supports millions of private-sector jobs, we write to urge you to include four critical elements in the Transportation, Housing and Urban Development, and Related Agencies (THUD) Appropriations bill:

- Provide a permanent funding limitation prohibiting applicability of the Rostenkowski Test, preventing a devastating \$6 billion, 60 percent across-the-board cut to public transit agencies in fiscal year (FY) 2021;
- Provide at least \$16 billion in funding for public transportation and passenger rail in FY 2021;
- Deposit the necessary funds in the Mass Transit Account of the Highway Trust Fund to ensure that it can meet all funding commitments throughout the fiscal year; and
- Continue the reforms to the Capital Investment Grant (CIG) program included in the THUD Appropriations Act, 2020 (P.L. 116-94, Division H, Title I).

The Honorable Patrick Leahy
Vice Chairman
Committee on Appropriations
U.S. Senate
S-146A, The Capitol
Washington, DC 20510

The Honorable Jack Reed
Ranking Member
Subcommittee on Transportation,
Housing and Urban Development
and Related Agencies
Committee on Appropriations
S-146A, The Capitol
Washington, DC 20510

As you have seen firsthand in the wake of the novel coronavirus (COVID-19), public transit agencies provide essential services to our nation's frontline workers each and every day, and we urge you to include each of these four critical elements in the THUD Appropriations bill. In addition, we are developing additional funding and legislative priorities to address the enormous impacts of COVID-19 on our industry and will send you those specific requests in the near future.

First, we strongly urge you to provide a permanent funding limitation prohibiting applicability of the Rostenkowski Test. Last year, you included section 163 in the THUD Appropriations Act, 2020 to prohibit applicability of the Rostenkowski Test, which prevented a 12 percent across-the-board cut to every public transit agency. If Congress does not continue this limitation, public transit agencies face a \$6 billion cut to their formula apportionments, resulting in a 60 percent across-the-board cut to public transit funding.

Second, we also urge you to provide at least \$16 billion for public transportation and passenger rail, equal to the FY 2019 THUD Appropriations Act (P.L. 116-6). Specifically, we request that you provide funding for the CIG program at or above the enacted FY 2019 appropriation of \$2.55 billion. Regarding passenger rail, we request that you to fund Consolidated Rail Infrastructure and Safety Improvements (CRISI) and Federal-State Partnership for State of Good Repair grants at or above the FY 2019 funding level. Safety is the public transportation industry's top priority and we also request that you enable commuter railroads to be eligible for these passenger rail programs and use these grants for implementation, operations, and maintenance of positive train control (PTC) technology.

Third, we request that you deposit the necessary funds in the Mass Transit Account of the Highway Trust Fund to ensure that it can meet all funding commitments throughout the fiscal year. The pending shortfall in the Transit Account is exacerbated by the COVID-19 pandemic and it is very likely that the Transit Account will run out of funds in FY 2021. We urge Congress to provide the necessary funds to ensure that public transit agencies are not forced to significantly slow project construction, contributing to even more jobs loss as we work to restore the nation's economy.

Finally, we request that the Committee on Appropriations continue to include provisions requiring the Federal Transit Administration (FTA) to advance qualified projects through the CIG process, prohibit FTA from requesting or requiring a CIG share lower than 50 percent, allocate at least 85 percent of the funds by a specific date, and prohibit implementation of the new policies outlined in the June 29, 2018 FTA Dear Colleague letter.

Thank you for your strong support for public transportation and consideration of our priorities for the FY 2021 THUD Appropriations bill. In addition, we are developing additional funding and legislative priorities to address the enormous impacts of COVID-19 on our industry and will send you those requests in the near future.

The Honorable Richard C. Shelby, Patrick Leahy, Susan M. Collins, and Jack Reed

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We look forward to continuing to work with you to improve public transportation and benefit the nation.

Sincerely,



Paul P. Skoutelas
President and CEO

cc: Members of the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, Committee on Appropriations, U.S. Senate