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PUBLIC
TRANSPORTATION
ASSOCIATION**

September 10, 2018

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Paul P. Skoutelas

The Honorable Richard Shelby
Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Patrick Leahy
Vice Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Rodney Frelinghuysen
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

The Honorable Nita Lowey
Ranking Member
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Shelby, Vice Chairman Leahy, Chairman Frelinghuysen, and Ranking Member Lowey:

On behalf of the more than 1,500 public- and private-sector member organizations of the American Public Transportation Association (APTA), I write to thank you for your efforts to advance H.R. 6072/S. 3023, the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2019” (THUD Appropriations bills), which build upon the critical public transportation and intercity passenger rail investments that you included in the 2018 THUD Act (P.L. 115-141, Division L). These critical funds help improve public transit and passenger rail service, safety, and capacity, all while chipping away at the more than \$90 billion backlog of public transit state-of-good-repair infrastructure projects. Moreover, the THUD Appropriations bills reflect many of APTA’s specific funding and policy priorities, as outlined in our April 27, 2018 letter to you, and we greatly appreciate your continued support.

APTA represents a \$68 billion industry that directly employs 420,000 people and supports millions of private-sector jobs, and this critical federal funding will enable us to continue to demonstrate public transit’s value and return on investment. Investing in public transportation enriches communities and grows the economy by creating jobs, increasing property values, and connecting people to jobs, local businesses, and health care—87 percent of trips taken on public transportation directly impact the economy.

As you begin discussions on resolving the differences between the House and Senate THUD Appropriations bills as part of the H.R. 6147 minibuss, we urge you to provide the highest possible level of funding for public transportation and intercity passenger rail investments. The House THUD Appropriations bill provides \$16.5 billion for public transit and passenger rail investment, increasing funding for these programs by \$203 million (including an increase of \$141 million for public transportation funding and \$62 million for intercity passenger rail grants) over FY 2018 funding levels. We urge Congress to adopt at least this level of funding for these critical infrastructure investments.

The THUD Appropriations bills, like the 2018 Act, provide significant funding increases for Buses and Bus Facilities grants and State of Good Repair grants above levels authorized in the Fixing America's Surface Transportation Act (FAST Act) (P.L. 114-94). The House bill also increases funding for urban and rural formula grants. We strongly support your efforts to increase investments in each of these programs.

We also encourage Congress to continue to enable commuter railroads to be eligible for Consolidated Rail Infrastructure and Safety Improvements (CRISI) grants and recommend that you authorize commuter railroads to use these grants for the costs of operating and maintaining positive train control (PTC) technology after completing implementation. The cost to commuter railroads of full implementation of PTC is estimated to be approximately \$4.1 billion and commuter railroads face significant ongoing operations and maintenance costs of approximately \$80 million to \$130 million each year.

In addition, we strongly support your efforts to ensure that the U.S. Department of Transportation administers the Capital Investment Grant (CIG) program consistent with procedural and substantive requirements of current law (49 U.S.C. 5309). We urge Congress to continue to include provisions requiring the Federal Transit Administration (FTA) to advance qualified CIG projects through the Full Funding Grant Agreement process and obligate CIG funds in a timely manner. Moreover, we strongly support your efforts to prohibit new FTA CIG policies that will increase burdens on project sponsors and cause costly delays for CIG projects.

On June 29, 2018, FTA sent a "Dear Colleague" letter to public transit agencies highlighting the Administration's policies regarding the CIG program. The letter announced changes to existing policies including consideration of U.S. Department of Transportation (DOT) loans in the context of federal funding sources and other fundamental changes to the funding allocation decision-making process. In addition, FTA also separately announced changes to its risk assessment process.

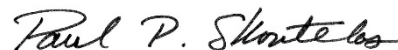
Under existing CIG requirements, public transit projects go through a rigorous review, including conducting an environmental review, securing non-federal funding, engineering and design, risk analysis, and other criteria. The projects are evaluated and rated on these criteria and must receive sufficient ratings to qualify for a grant agreement.

We are concerned about the new policies outlined in the Dear Colleague letter and risk assessment process and believe that FTA should not proceed with these changes until it has had further dialogue with the transit industry on their potential impacts on CIG projects. APTA is very concerned that these new policies will increase burdens on project sponsors and cause costly delays for CIG projects, which is contrary to the Administration's goal of streamlining infrastructure project approvals.

We commend the Senate for including a provision (Reed Amendment #3608) prohibiting DOT from implementing new policies outlined in FTA's Dear Colleague letter. We urge Congress to include the strongest possible provision in the conference report that would address industry concerns raised by both the Dear Colleague letter and FTA's changes to the risk assessment process.

Thank you for your consideration.

Sincerely,



Paul P. Skoutelas
President and CEO

cc: The Honorable Susan M. Collins, Chair, THUD Subcommittee,
Committee on Appropriations, U.S. Senate

The Honorable Jack Reed, Ranking Member, THUD Subcommittee,
Committee on Appropriations, U.S. Senate

The Honorable Mario Diaz-Balart, Chair, THUD Subcommittee,
Committee on Appropriations, U.S. House of Representatives

The Honorable David E. Price, Ranking Member, THUD Subcommittee,
Committee on Appropriations, U.S. House of Representatives

Members of the Conference Committee on H.R. 6147, the "Interior, Environment, Financial Services and General Government, Agriculture, Rural Development, Food and Drug Administration, and Transportation, Housing and Urban Development Appropriations Act, 2019"

Members of the House and Senate THUD Subcommittees, Committee on Appropriations