



U.S. House of Representatives
Committee on Transportation and Infrastructure

James L. Oberstar
Chairman

Washington, DC 20515

John L. Mica
Ranking Republican Member

April 2, 2009

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

James W. Coon II, Republican Chief of Staff

The Honorable Daniel Lipinski
1717 Longworth HOB
Washington, DC 20515-1303

Dear Daniel:

The Committee on Transportation and Infrastructure is crafting new surface transportation authorization legislation to replace the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (P.L. 109-59), which expires on September 30, 2009.

This legislation will transform our surface transportation programs by strengthening the current Federal-state-local partnership, ensuring that programs meet specific performance-based metrics, and providing for greater transparency and accountability for Federal, state, and local decision-making.

Under current law, the U.S. Department of Transportation, States, Metropolitan Planning Organizations, and public transit agencies are responsible for the vast majority of surface transportation investment decisions. Although the current Federal-state-local partnership has served highway and transit systems well, not all communities are treated equally in the decision-making process.

To complement the work done by these agencies, and to ensure that the needs of the communities that we represent are full partners in these important programs, a small percentage of the overall investment of the authorization bill will be available for Member-designated, High Priority Projects ("HPPs"). As elected Members of Congress, we are uniquely responsible and accountable to our constituents; as such, we must be responsive to them by investing in worthwhile projects critical to our districts that may otherwise not be funded. The Committee will accept requests from Members of Congress to designate funding for High Priority Projects to ensure that the diverse transportation needs of our districts – urban, suburban, and rural – are addressed with the investment provided in this legislation.

The new authorization legislation will include a strong focus on performance and accountability, and these same high standards will be applied throughout the High Priority Project submission and selection process. To address concerns that have been raised with the Member-designated High Priority Project program authorized in SAFETEA-LU and prior surface transportation legislation, and to ensure that projects that receive funding in this surface

transportation authorization act result in tangible transportation and safety benefits, the Committee on Transportation and Infrastructure has adopted the following principles for Member-designated High Priority Projects:

- **The Committee requires all projects to meet eligibility criteria** under Title 23 (Highways) or Chapter 53 of Title 49 (Public Transit) of the United States Code to ensure that HPPs comply with highway and transit program objectives. In addition, **the Committee specifically prohibits HPP funding for non-surface transportation projects, such as funding of transportation museums, horse trails, historic battlefields, and other non-transportation projects.**

- **The Committee requires Members to provide specific information on the type, location, total cost, percentage of total cost that the request would finance, and benefits of the project,** in order for the Committee to effectively analyze the merits of the project request.

- **The Committee requires Members to specifically identify funding to finance at least 80 percent of the total cost of the phase or segment of the project requested by either (1) the amount requested by the Member; or (2) the amount requested by the Member and other specifically designated Federal, state, local, or private funding sources.** The intent of this provision is to increase the likelihood that construction of the project will be underway during the term of the act.

- To ensure that HPPs have significant state or local support, **the Committee requires Members to provide at least one letter of support for the project from the state Department of Transportation or affected local government or governmental agency.**

The Committee requires such government or agency to specify the process that will be followed to **provide an opportunity for public comment** (such as the Environmental Impact Statement or other permitting process that requires public review) on the project.

The Committee also requires such government or agency to **identify other Federal, state, local, or private funding sources** that may be used to advance the project.

- To ensure greater transparency and accountability for HPPs, **the Committee establishes the following transparency and accountability principles:**
 - **Members are required to certify that neither the Member nor his or her spouse has any financial interest in a project requested;**

 - **Members are required to post requests for projects on the Member's website;**

- **The Committee will afford the U.S. Department of Transportation at least 20 days to review all project requests to ensure that the projects meet program eligibility criteria;**
 - **A list of all Member-designated High Priority Projects that are included in the bill will be posted on the Committee website; and**
 - **A copy of all Member financial interest certifications for HPPs that are included in the bill will be posted on the Committee website.**
- **The Committee intends to repeal prior ISTEA and TEA 21 project designations that have not proceeded to construction or have remaining unused funds to ensure the effective use of highway and transit funds.**

The Committee will accept HPP requests that adhere to these specific principles beginning on April 27, 2009, and ending on May 8, 2009. Members will have the opportunity to submit project requests through the Committee's online database, which will be located at <http://hpp.transportation.house.gov>. Members will be required to submit both electronic and hard copies of all High Priority Project requests. Online answers to the enclosed questionnaire will be required for each project submission.

We strongly recommend that Members immediately begin to compile the information and letters of support necessary to complete their project requests.

To assist Members in this process, the Committee will hold a series of staff briefings and question-and-answer sessions for Congressional staff, as follows:

Date	Time	Location
April 8, 2009	2:00 p.m.	2167 Rayburn HOB
April 15, 2009	2:00 p.m.	2167 Rayburn HOB
April 24, 2009	10:00 a.m.	2167 Rayburn HOB
May 1, 2009	2:00 p.m.	2167 Rayburn HOB

In addition, on April 28, 2009, in room 2167 of the Rayburn House Office Building, the Subcommittee on Highways and Transit will hold a hearing to receive testimony from Members of Congress regarding project requests. Although participating in the hearing will not impact the inclusion of a requested project in this legislation, the hearing will provide an opportunity for Members to publicly discuss the needs of their district and the merits of their project requests. If you are interested in participating in this hearing, please contact the Subcommittee on Highways and Transit staff at (202) 225-9989.

The Honorable Lipinski

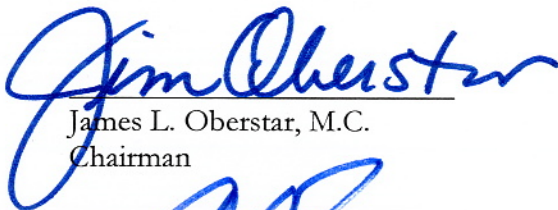
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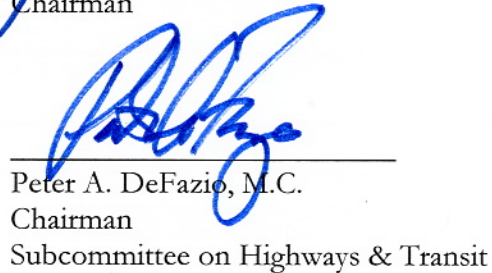
If you have any questions about the High Priority Project submission process, please have your staff contact Jackie Schmitz of the Majority staff of the Subcommittee on Highways and Transit at Jackie.Schmitz@mail.house.gov or (202) 225-9989, or Dan Veoni of the Republican staff of the Subcommittee on Highways and Transit at Dan.Veoni@mail.house.gov or (202) 225-6715.

We believe that Member-designated projects can play an appropriate role in the upcoming surface transportation authorization act, and that the High Priority Project reform principles will ensure that projects that receive funding will result in tangible transportation and safety benefits. We appreciate your willingness to work with us to ensure that this process meets the highest standards of transparency and accountability.

Sincerely,



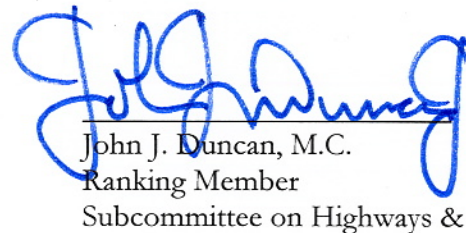
James L. Oberstar, M.C.
Chairman



Peter A. DeFazio, M.C.
Chairman
Subcommittee on Highways & Transit



John L. Mica, M.C.
Ranking Member



John J. Duncan, M.C.
Ranking Member
Subcommittee on Highways & Transit

Enclosure