



May 7, 2020

The Honorable Mitch McConnell
Majority Leader, United States Senate
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker, United States House of Representatives
Washington, DC 20515

The Honorable Charles Schumer
Minority Leader, United States Senate
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader, United States House of Representatives
Washington, DC 20515

Dear Leader McConnell, Speaker Pelosi, Leader Schumer, and Leader McCarthy:

The Association of Metropolitan Planning Organizations (AMPO), the National Association of Regional Councils (NARC), and the National Association of Development Organizations (NADO) write to request that **Congress appropriate at least \$20 billion in flexible transportation funds through the Surface Transportation Block Grant Program (STBGP) in the next coronavirus relief bill.** These funds will be used to maintain vital transportation-related jobs, keep projects and programs moving forward, and address the loss of state and local revenues that support locally-selected transportation investments. State and local funding makes up two-thirds of the nation's investment in transportation infrastructure and pays the non-federal share of federally funded projects and programs.

Further, we urge that these **additional funds be suballocated in the same manner as funds that were apportioned in 2020 for urbanized and non-urbanized areas** under STBGP in the FAST Act (23 U.S.C. 133(d)(1)(A)). Eligible uses of these funds should be expanded to include **servicing as the non-federal match** attributable to MPO and state planning activities and serving as the non-federal match for any program or programs under Title 23 (Highways) or Chapter 53 of Title 49 (Public Transportation). Further, any **eligible uses for these funds should be allowed a 100% federal share.**

In conjunction with this immediate funding, we also urge you to **support the passage of a long-term surface transportation bill** before it expires September 30 of this year. These two actions taken together provide Congress a unique opportunity to increase federal transportation investments to help restart the economy that is reeling from the impacts of the coronavirus and to provide certainty of surface transportation policy and funding once the country moves past the pandemic.

As Congress seeks to promote recovery from the COVID19 crisis and stimulate the U.S. economy through infrastructure investments, utilizing the existing STBGP minimizes the need to design new systems or rules, so federal funding can more easily and quickly flow to local governments. Under the STBGP, projects are already programmed so have been vetted and are locally supported. STBGP provides flexibility that allows targeting highest priority projects, based on local economic circumstances and transportation conditions and needs. This is particularly compelling now as cities and counties are facing significant revenue losses in sources that they use for capital investment, including gas taxes and sales taxes. As local communities are forced to shift funds to cover revenue losses and pay for immediate needs in public health and safety, cities and counties are considering delaying or reducing their capital investment programs. This will result in a reduction of construction spending and

associated job losses in public works departments as well as in private-sector contractors. As such, when our nation is trying to move to economic recovery, we may have a drain on capital investment just when it would be most beneficial. An STBGP funding supplement could help to avoid job losses and stimulating economic recovery.

Additional suballocated funding through the STBGP would effectively allow already planned and programmed transportation capital projects to continue, i.e., help avoid project delays, deferrals, and corresponding public and private sector layoffs, and function as economic stimulus by injecting capital funding into the economy and accelerating some projects.

As Congress debates these important relief and recovery funds for transportation, we request that Congress ensure that states coordinate with the relevant Metropolitan Planning Organizations before changes are made to the state transportation improvement program (STIP) to prevent any possible delay in project schedules that have already been agreed to by the state and MPO.

Lastly, the impacts of the coronavirus have impacted more than the funding to support transportation investments. Members of AMPO, NARC, and NADO are also confronted with statutorily required deadlines and processes. To this end, we request that Congress:

- **Grant extensions to MPOs for requirements** such as long-range transportation plan (LRTP) and Transportation Improvement Program update and approvals, Unified Planning Work Program (UPWP) updates, FTA triennial reviews, quadrennial certifications, invoice processing, and other relevant deadlines that occur during fiscal year's 2020 and 2021.
- **Authorize and permit administrative Transportation Improvement Programs and UPWP amendments.** This will allow the MPOs to add new studies, consulting work or data purchases and budget changes related to the COVID-19 pandemic as these costs may exceed 5% of the existing budget. In addition, allow for flexible carry-over of any unspent 2020 planning funds directly into the 2021 budget year. These actions would not require a formal MPO meeting per the adopted and federally required Public Involvement Plans. This provision is only permitted during the time period that a state-level emergency declaration is in effect.
- **Extend deadlines for discretionary grant programs,** including obligation deadlines, so recipients are not penalized with the loss of their grant due to an extended period of slowdown or stoppage of required work.
- **Direct USDOT to develop guidance through FHWA and FTA or pass a statutory framework to provide maximum flexibility in regards to public involvement requirements,** allowing for distribution of materials on the internet or through other reasonable distribution methods, and allowing for gathering of comments electronically as sufficient under such requirements for the duration of the national state of emergency and until Federal, State, and local health officials agree that it is safe for public gatherings to recommence.
- Direct USDOT to develop guidance through FHWA and FTA or pass a statutory framework to **allow a MPOs policy board to meet electronically or telephonically** during the period in which a national disaster is declared. Policy boards that meet in this way should be able to vote and otherwise make decisions as if they were meeting in person.
- Further, grant emergency powers to an organization's Executive Director or Board Chairperson to approve documents on behalf of the MPO as needed.
- **Ease lapsing requirements** if a State can demonstrate that an impact of the national emergency declaration is the proximate cause of the funding lapse.

- **Provide flexibility to states and MPOs to update required performance targets and set new targets** as appropriate to adequately reflect the anticipated conditions. Further, allow for or **automatically grant extensions of performance target setting deadlines** as appropriate, including the MPO CMAQ Performance Plan which is currently due on October 1, 2020.
- **Consider changes to procurement processes** that will be necessary if whole offices are teleworking, such as allowing for electronic signatures.

Federal investments in the next stimulus bill and through the reauthorization of a surface transportation bill will provide immediate and future funding certainty essential to preserving transportation investments as the country continues to operate under the Federal and State health directives due to the coronavirus and beyond. Again, we appreciate your leadership during this unprecedented time and for your consideration of this request.

Sincerely,



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Association of Metropolitan
Planning Organizations



Leslie Wollack
Executive Director
National Association
of Regional Councils



Joe McKinney
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