



ASPHALT CONTRACTORS ASSOCIATION OF FLORIDA, INC.
1007 E. DESOTO PARK DRIVE, SUITE 201 TALLAHASSEE, FL 32301
PHONE: 850-222-7300 FAX: 850-942-5632
WWW.FLORIDARIDESONUS.ORG JWARREN@ACAF.ORG
JIM WARREN EXECUTIVE DIRECTOR

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The Honorable Thomas J. Rooney
U.S. House of Representatives
2160 Rayburn House Office Building
Washington, DC 20515

Dear Representative Rooney:

Thank you for sharing your draft legislation to amend House rules to provide for a limited exception to allow congressionally-directed Corps of Engineering projects in House legislation. On behalf of the Asphalt Contractors Association of Florida, we endorse the legislation and believe it should be expanded to include all transportation projects. Frankly, the members of our association never understood why Congress wanted to transfer that Constitutional authority to unelected bureaucrats in Washington.

From our perspective, there is an important political reason to amend House Rules in this regard, enacting transportation bills have become too hard to enact to the detriment of your constituents. In March 2010, Congress placed a moratorium on the use of earmarks, ensuring that neither authorizing committees nor appropriations committees would have the ability to earmark future transportation projects. The earmark ban imposed by then-Speaker John Boehner has created a situation where transportation bills face tremendous difficulty in being enacted by Congress.

For example, the FAST Act enacted at the end of 2015 was the first major multi-year reauthorization bill to pass Congress since 2005. Yet, the FAST Act did not solve the revenue problem as the HTF is expected to experience a significant cash shortfall in FY 2021. Congress did not finish the job and the heavy lift is yet to come.

Congressionally designated projects, if done right and under the full light of transparency, are useful because by allowing Senators and Representatives to directly send funding to their states and districts it makes it possible to build constituent support and provide a means to garner the votes necessary to pass the bills.

The surface transportation funding situation is dire for all modes and projects and finding consensus on alternative funding sources are hard to find. The earmarking moratorium has resulted in a political environment that has left the transportation network in poor condition and in desperate need of new funding. Congress needs to coalesce around the common goal of enacting a long-term, robust and sustainable funding mechanism that addresses the Highway, Airport and Waterway Trust Funds' shortfalls with solutions that both stabilize and increase critical infrastructure investments to position America's economy for future success.

Lifting the moratorium on earmarks for all transportation-related bills would eliminate a self-imposed impediment that has challenged the House of Representatives to make significant steps forward towards enacting meaningful infrastructure investment legislation. Your House Resolution is a positive step in that direction. We would like to see it expanded to include all infrastructure projects.

Sincerely,

Jim Cordero

Jim Cordero

Director of Governmental Affairs