

Congress of the United States
Washington, DC 20515

March 06, 2018

Secretary Elaine Chao
The U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, D.C. 20590

Dear Secretary Chao,

The New Democrat Coalition has long called for a comprehensive, bipartisan transportation and infrastructure plan designed to bring our country into the 21st Century and enable American businesses to grow, workers to earn more, and communities to thrive. We must seize the moment and deliver critical and overdue improvements for the communities we represent around the nation. This is a goal we believe we share with President Trump, you, and the rest of the Administration. President Trump has called for “both parties to come together to give us the safe, fast, reliable, and modern infrastructure our economy needs and our people deserve.”^[1] Immediately following this call for action, the New Democrat Coalition Infrastructure Task Force released four pillars for an infrastructure deal that we believe could have widespread, bipartisan support. Our plan calls for modernizing America’s infrastructure through updated funding and financing, creating an infrastructure bank to expand financing opportunities for state and local governments, creating incentives in communities of need to build and maintain infrastructure, and encouraging innovation and reform.

We write to you today to highlight the plan's fourth pillar—regulatory innovation—a concept for which the President has expressed strong support. As you know, Congress made regulatory reform a key part of the landmark Fixing America’s Surface Transportation (FAST) Act of 2015. This Act was the first long term highway bill to navigate its way through Congress in a decade, and it included many transformative policy changes within the Department of Transportation permitting process, including significant streamlining of major infrastructure projects. We respectfully request that the Department of Transportation take immediate action in implementing existing law to expedite project approvals and build the infrastructure Americans need.

In President Trump’s State of the Union address to Congress, he asked that “any bill must also streamline the permitting and approval process—getting it down to no more than two years, and perhaps even one,”^[2] a priority also expressed in the White House’s recently released infrastructure plan. As you know, the yet-to-be realized reforms in the FAST Act could help accomplish this goal. The U.S. Department of Transportation, with the support of Congress, has

^[1] State of the Union Address, 2018

^[2] Ibid

authority today to take action on bipartisan streamlining reforms authorized in the MAP-21 and FAST Act transportation bills that could reduce unnecessary delay in the project review and approval process. In order to immediately begin improving the federal permitting process and avoid duplicative efforts, we urge you to prioritize the progress of the FAST Act and use the tools already at your disposal. For example, the Administration could fill the open role of Executive Director of the Federal Permitting Improvement Steering Council, provide funding for the Council, and fund other key elements of the FAST Act that would accelerate project approvals. Additionally, you could finalize the two outstanding rulemakings and complete the guidance documents necessary to implement changes from the FAST Act and MAP-21 to the environmental review process at FHWA and FTA. This would allow the Administration to make immediate progress on expediting projects and aligning with state efforts to move high priority projects along the permitting process.

The New Democrat Coalition Members represent communities around the nation in both rural and urban areas, and we understand the potential a large transportation and infrastructure deal could have on driving economic growth and improving the lives of all Americans. We agree there are other possible reforms to the regulatory and permitting process that can be pursued, including reasonable and responsible legal deadlines on agencies for review and decision making; however, we must prioritize implementing the outstanding reforms of the FAST Act. We also believe that direct federal investments, distributed equitably, is key to ensuring bipartisan support for any infrastructure proposal. We look forward to working with you and the White House in meeting our nation's dire infrastructure needs including providing additional resources to invest in vital infrastructure projects across America, and stand ready to work with you and offer viable proposals. Thank you for your attention to this request and we await your reply.

Sincerely,



John K. Delaney
Member of Congress



Elizabeth Esty
Member of Congress



Stacey E. Plaskett
Member of Congress



Norma Torres
Member of Congress


Julia Brownley
Member of Congress


Cheri Bustos
Member of Congress


Salud O. Carbajal
Member of Congress


Derek Kilmer
Member of Congress


Rick Larsen
Member of Congress


Bradley S. Schneider
Member of Congress


Ann McLane Kuster
Member of Congress

Enclosure: New Democrat Coalition 21st Century Infrastructure Task Force's Four Pillars for an Infrastructure Deal