



U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

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April 27, 2009

SUMMARY OF SUBJECT MATTER

TO: Members of the Subcommittee on Highways and Transit
FROM: Subcommittee on Highways and Transit staff
SUBJECT: Hearing on the “High Priority Project Program”

PURPOSE OF HEARING

On Tuesday, April 28, 2009, at 10:00 a.m., in room 2167 Rayburn House Office Building, the Subcommittee on Highways and Transit will hold a hearing to discuss specific High Priority Project (“HPP”) requests of Members of Congress. The hearing will be an opportunity for Members to provide information to the Subcommittee and to the public about the type, location, total cost, and benefits of the HPPs that they will request in the upcoming authorization. The hearing is part of the Committee’s effort to ensure greater transparency and accountability in the upcoming surface transportation authorization legislation.

BACKGROUND

On April 2, 2009, the bipartisan leadership of the Committee on Transportation and Infrastructure and the Subcommittee on Highways and Transit sent a letter to all Members of the House of Representatives outlining new transparency and accountability principles for Member-designated HPPs within the upcoming surface transportation authorization legislation.

Under current law, the U.S. Department of Transportation, States, Metropolitan Planning Organizations, and transit agencies are responsible for the large majority of investment decisions. HPPs designated by Members account for only a small portion of the investment within the legislation. However, Members of Congress are uniquely accountable to their districts; as such, the HPP process gives them the ability to invest in worthwhile projects critical to their districts that may otherwise not be funded. The Committee will accept requests for HPPs to ensure that the diverse

needs of districts – urban, suburban, and rural – are addressed with the investment provided in this legislation.

To address concerns that have been raised with HPPs in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and prior surface transportation legislation, the Committee is implementing a series of reforms that will bring an unprecedented level of transparency and accountability to the process.

BACKGROUND ON HIGH PRIORITY PROJECT REFORMS

- 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 HPPs 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 project requests.
- 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 to specify the process which 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 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 all 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 Surface Transportation 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.

Any Member who would like to testify at this hearing should contact the Subcommittee on Highways and Transit at (202) 225-9989 to arrange a specific time to testify.