

# United States Senate

WASHINGTON, DC 20510-4304

July 8, 2009

The Honorable Ray LaHood  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Ave, SE  
Washington, DC 20590

Dear Secretary LaHood:

I am writing to share my views regarding your recent announcement concerning the Highway Trust Fund and the Administration's support for an 18-month extension of the highway reauthorization that will replenish the trust fund, while also enacting several reforms supported by the Administration. My schedule prevented me from attending the recent meeting you held with members of the authorizing committees involved in the upcoming highway reauthorization measure.

As Ranking Member of the Senate Committee on Commerce, Science, and Transportation, which has jurisdiction over several of the key areas in the highway bill reauthorization, including highway, motor carrier, and hazardous materials transportation safety, I believe that it is critical that adequate funding is allocated to the Highway Trust Fund. We must ensure the continuity of these important safety programs, as well as the very important highway funding that each state relies on to address their most pressing transportation needs. At the same time, it is important that such funding be provided in a manner that does not further impact the deficit at the ultimate expense of hardworking American taxpayers. In fact, I urge the Administration to carefully consider using any unallocated dollars from the \$787 billion American Recovery and Reinvestment Act of 2009 (ARRA) as a funding source. Highway projects are proven job creators that will help promote our nation's economic recovery and would meet the intended purposes of the ARRA.

At the same time, I want to express my reservations over your proposal for an 18-month extension coupled with only the few reforms you have indicated are meritorious, including cost-benefit analysis, more spending on only metropolitan areas, as opposed to any rural areas, and promoting the Administration's concept of "livability" to more closely link home and work. I believe an 18 month extension is too long and, instead, the Congress should be urged to act more quickly on a comprehensive highway reauthorization measure.

Further, as a representative of a donor state, I do not think states like Texas should be required to continue funding other state's transportation funding for an additional 18 months at the expense of our own pressing needs. In April, I introduced S. 903, the Highway Fairness and Reform Act of 2009, to give states the choice to opt-out of the federal highway program and instead be rebated federal fuel taxes collected within their borders. Our bill would cut the overwhelming majority of federal strings attached, but would require that rebated taxes be spent on surface transportation projects. This option would allow all states to receive a more equitable distribution of gas tax dollars, while ensuring funds are directed toward improving transportation in high growth areas of our states.

I believe there is a proper federal role in promoting the efficiency, safety, and security of our nation's highway system. It is my hope that together, we can reform the federal role in a manner that will help to better meet all states' transportation priorities. I hope that we don't wait another 18 months to enact needed improvements and funding equity among all states.

Thank you for your time and consideration of my views.

Sincerely,

A handwritten signature in blue ink that reads "Kay Bailey Hutchison". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline that extends to the right.

Kay Bailey Hutchison  
United States Senate