



## **SASHTO Reauthorization Priorities**

### **1. Focus on Formula-Based Transportation Programs:**

- a. Ensure authorization bill directs focus to surface transportation and departs from non-transportation related items.
- b. Place greater emphasis on formula-based programs versus discretionary grant programs, which provide no funding certainty.
- c. Avoid non-inflationary increases to suballocated programs, which are traditionally slow to spend.
- d. Given inflationary factors, establish IIJA funding levels as the minimum amount of funding to be established in the next Surface Transportation Reauthorization bill.
- e. Federal formula should be simple, transparent, and consider recent population data and lane mileage as factors.

### **2. Program Consolidation or Elimination / Increased Flexibility for States DOTs:**

- a. Consolidate programs within funding categories to remove duplicative requirements and to allow for flexibility to address eligible uses. (Carbon Reduction and PROTECT are examples.)
- b. Allow states to flex/move funds among programs to best meet states' needs, especially Transportation Alternative Funds and other set-aside programs that are not consolidated. Facilitate the ability of states to split-fund projects across funding categories.
- c. Provide flexibility in qualifications and use of Highway Safety Improvement Program (HSIP) funds.
- d. Resist the creation of new mandatory programs, rather expand eligibilities within existing programs.
  - i. Expand and maintain eligibilities under existing programs to support supply chain resilience, enhance system security, advance intelligent transportation systems, and provide for transportation workforce development.

### **3. Address the large amount of August Redistribution** that has resulted in a doubling of the amount of end of year redistribution of allocated contract authority each year:

- a. SASHTO states support AASHTO's legislative recommendation to Congress to reduce August Redistribution amounts and maximize highway formula dollars provided to state DOT's at the beginning of each fiscal year. Specifically:
  - i. All allocated accounts from the Highway Trust Fund be required to receive four-year obligation limitation. The four-year obligation limitation would apply to allocated accounts receiving four-year contract authority from the Highway Trust Fund.
  - ii. For allocated accounts, any unused obligation limitation (OA) at the end of the fourth year would be subject to August Redistribution.
- b. States that receive redistributed OA should be allowed to transfer contract authority between formula programs to expeditiously spend the redistributed OA.
- c. Grant states contract authority to provide flexibility to consume Advanced Construction (AC) inventory in short August Redistribution timeframe.



#### **4. Reduce Administrative Burdens:**

- a. Prohibit overreach by federal agencies, enforcing prohibitions on implementation of guidance prior to final rule adoption and rulemaking outside of Congressional intent.
- b. Federal agencies should abide by the spirit and intent of One Federal Decision provisions to reduce project delivery delay.
- c. Provide clarity in the use of performance measures and reporting requirements to ensure that they align with Congressional intent and provide certainty and consistency for state DOTs.
- d. Standardize requirements under NEPA across USDOT's modal agencies.
- e. Expand the assignment of federal authorities to states willing, prepared, and equipped to handle such responsibilities.
- f. In the absence of clear statutory language, federal agencies should interpret legislative intent in a manner that provides deference to state departments of transportation.

#### **5. Improve execution of Build America, Buy America (BABA) to remove obstacles to project delivery:**

- a. Streamline and simplify BABA rules and provide consistency and clarity to the waiver process.
- b. Provide transparency in the waiver process across USDOT and OMB, including the date waivers are received and timelines for review.
- c. Prevent project disruptions caused by difficulties in certifying commercially available off-the-shelf components.
- d. Develop and maintain a centralized listing of domestically made construction materials compliant with BABA and waivers to BABA that have been issued.

#### **6. Discretionary Grants:**

- a. Limit discretionary programs to the lesser of 4% or \$25B for the next federal authorization period.
- b. Require proposed projects be included in a state's Statewide Transportation Improvement Program or other fiscally constrained and publicly available plan. An exception process could be considered for projects proposed outside of fiscally constrained plans.
- c. In lieu of grant agreements, allow state DOTs to use existing procedures for the obligation of federal funds. Federal grant funds should be treated like any other federal funds given to or passed through state DOTs.
- d. Require the owner of the facility for which a grant is applied, to approve or acknowledge applications before they are submitted, including local governments' applications for projects on state-owned facilities.
- e. States should not be expected to administer grants awarded to localities if the state was not part of the application process.
- f. Timelines for Notices of Funding Opportunities, application due dates, and grant award announcements should be adequate, transparent and consistent.
- g. Simplify benefit-cost analysis data requirements and create consistency across all discretionary grant opportunities.



- h. Remove grant criteria and schedule requirements that overreach statutory authority and that could influence or serve to coerce decision making. Criteria and schedules should be based on system performance and within Congressional intent.