February 9, 2018

The Honorable Elaine L. Chao  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue, S.E.  
Washington, D.C. 20590

Dear Secretary Chao:

We write with deep concern over the U.S. Department of Transportation’s (DOT) delay in executing several Capital Investment Grant (CIG) Small Starts projects in Washington state. Our constituents have worked in good faith with the Department for several years, Congress has provided federal funding to support these projects, and yet all three remain stalled. We urge you to uphold the commitment you made to the Senate Committee on Appropriations during a Fiscal Year 2018 budget hearing to follow Congressional direction and execute CIG grant agreements that have received federal funding.¹

For decades, the federal government has been a partner to communities across the country through the CIG program. Through its New Starts, Small Starts, and Core Capacity grants, the CIG program allows communities to compete for funding to build and improve subway, commuter rail, light rail, bus rapid transit, streetcar, and ferry projects. These projects are developed at the local level, undergo rigorous evaluation by the Federal Transit Administration (FTA), and include significant local funding. In Washington state, Sound Transit, Community Transit, and the City of Seattle have worked at the local level and with FTA following strict federal guidelines to advance three important projects through the CIG Small Starts program. We fear that the federal government is now not doing its part in executing these grants and we want to know why, and more importantly, what needs to happen to ensure there are no further delays on these projects.

Sound Transit received approval from the FTA to enter Project Development for the Tacoma Link Expansion in August 2014, the project received a medium-high overall rating in November 2015,² and Congress provided $75 million for the project in the Consolidated Appropriations Act of 2016 (P.L. 114-113).³ The final documentation for a Small Starts Grant Agreement was completed by Sound Transit in July 2017, however, Sound Transit just this week received approval from FTA to formally submit this paperwork. The schedule for execution and signature

¹ Secretary Chao: “Yes. If the funding came in in 2017, we will give it out... But whatever is given to us, we will, of course, be distributing it,” Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, Senate Committee on Appropriations, Review of the FY2018 Budget Request for the U.S. Department of Transportation, July 13, 2017.
² Federal Transit Administration, Tacoma Link Expansion Profile.
of this grant has been adjusted several times, and Sound Transit continues to wait for DOT to sign this grant agreement.

Community Transit received approval from FTA to enter Project Development for the Swift II Bus Rapid Transit in December 2014, the project received a medium overall rating in November 2015 and again in November 2016, and Congress provided $43.19 million for the project in the Consolidated Appropriations Act of 2017 (P.L. 115-31). The final documentation for a Small Starts Grant Agreement was submitted to FTA by Community Transit in September 2017, and the grant was scheduled for execution and signature in November 2017. Since then Community Transit has experienced several delays, and continues to wait for DOT to sign this grant agreement.

The City of Seattle received approval from FTA to enter Project Development for the Seattle Streetcar Center City Connector in July 2014, the project received a high overall rating in November 2016, and Congress provided $50 million for the project in the Consolidated Appropriations Act of 2017. The final documentation for a Small Starts Grant Agreement was submitted to FTA by the City of Seattle in September 2017, and the grant was scheduled for execution and signature in November 2017. Since then the City of Seattle has experienced several delays, and continues to wait for DOT to sign this grant agreement.

This emerging pattern of missed execution dates, delays, and seemingly deliberate slowdowns in executing CIG grant agreements that have received Congressional appropriations is extremely concerning. In addition, we note it is in direct contradiction to your commitment to distribute the funding Congress provides the Department. We understand all three project sponsors have completed their environmental reviews, secured the local funding, and signed the necessary third-party agreements. By all accounts these projects are shovel-ready. Any further delays by DOT in approving Small Starts Grant Agreements for these projects is unacceptable, and goes against the clear direction Congress provided in the FAST Act (P.L. 114-94), Consolidated Appropriations Act of 2016, and Consolidated Appropriations Act of 2017.

We strongly urge you to keep the federal governments promise to our constituents, respect the will of Congress, and move forward with Small Starts Grant Agreements for Sound Transit’s Tacoma Link Expansion, Community Transit’s Swift II Bus Rapid Transit, and the City of Seattle’s Seattle Streetcar Center City Connector. These projects are critical to commuters, businesses, families, and so many more in Puget Sound who rely upon public transportation systems to go about their daily lives. Further, we note that several more projects in Washington

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4 Federal Transit Administration, Swift II BRT Profile.
6 Federal Transit Administration, Seattle Streetcar Center City Connector Profile.
8 Secretary Chao: “Yes. If the funding came in in 2017, we will give it out... But whatever is given to us, we will, of course, be distributing it,” Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, Senate Committee on Appropriations, Review of the FY2018 Budget Request for the U.S. Department of Transportation, July 13, 2017.
state are in the CIG pipeline, and we fully expect DOT to continue to work to advance these projects through the CIG program as required by law.

Thank you for your consideration of our requests.

Sincerely,

Patty Murray
United States Senator

Maria Cantwell
United States Senator

Derek Kilmer
Member of Congress

Rick Larsen
Member of Congress

Suzan DelBene
Member of Congress

Pramila Jayapal
Member of Congress

Adam Smith
Member of Congress

Denny Heck
Member of Congress

cc: The Honorable K. Jane Williams, Deputy Administrator, Federal Transit Administration, U.S. Department of Transportation