

December 16, 2022

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Charles Schumer  
Majority Leader  
U.S. Senate  
Washington, DC 20510

The Honorable Kevin McCarthy  
Republican Leader  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Mitch McConnell  
Republican Leader  
U.S. Senate  
Washington, DC 20510

Dear Speaker Pelosi, and Leaders Schumer, McCarthy, and McConnell:

As Congress works to wrap up a Fiscal Year 2023 omnibus appropriations bill, the undersigned organizations ask that the overwhelmingly bipartisan S. 3011/H.R. 5735 be included in any final spending package. This legislation allows states and localities additional flexibility to use American Rescue Plan (ARP) funds for a range of transportation purposes.

The ARP law provided \$350 billion in state and local government relief funds and \$10 billion in capital improvement assistance. As states continue to recover from the fiscal setbacks due to the pandemic, new economic headwinds and rising costs have emerged. Currently, states and localities are only allowed to use a fraction of their ARP resources for highway, public transit, and other surface transportation projects. By passing S. 3011/H.R. 5735, the ARP funds can help mitigate state budget shortfalls and allow states and localities to address ongoing infrastructure needs that may have been sidelined during the pandemic.

This legislation passed the Senate last October via a unanimous consent agreement, and the House companion bill has over 160 bipartisan co-sponsors. The legislation would not increase costs to the federal government or the deficit and does not mandate state or local governments change plans or priorities.

We strongly support the inclusion of S. 3011/H.R. 5735 in a final FY 2023 appropriations package. The overwhelmingly bipartisan ARP flexibility legislation would empower public entities to further enhance their economic recovery from the COVID-19 pandemic.

Sincerely,

American Road & Transportation Builders Association  
National League of Cities  
Association of Metropolitan Planning Organizations  
American Association of State Highway and Transportation Officials  
American Public Transportation Association  
Associated General Contractors of America

National Association of Development Organizations  
Associated Equipment Distributors  
American Subcontractors Association  
American Highway Users Alliance  
Government Finance Officers Association  
Design-Build Institute of America  
National Association of Surety Bond Producers  
National Stone, Sand and Gravel Association  
American Traffic Safety Services Association  
American Public Works Association  
American Concrete Pipe Association  
National Ready Mixed Concrete Association  
Institute of Makers of Explosives  
National Association of County Engineers  
American Concrete Pavement Association  
American Foundry Society  
National Association of Regional Councils  
Portland Cement Association  
American Council of Engineering Companies  
American Society of Civil Engineers  
Association of Equipment Manufacturers  
U.S. Chamber of Commerce