

**Resolution of the
Northeast Association of State Transportation Officials (NASTO)**

The Need to Repeal the \$7.6 Billion Rescission in FAST Act

WHEREAS, the Fixing American's Surface Transportation (FAST) Act contains a \$7.6 billion rescission of unobligated contract authority scheduled to take effect July 2020; and

WHEREAS, the infrastructure throughout the NASTO States is vital to the nation's economy especially with its international borders and the movement of freight along the I-95 and I-81 Corridors; and

WHEREAS, NASTO States represent 17 percent of the population with a \$2.9 trillion economy as a region that produces 20 percent of the country's Gross Domestic Product; and

WHEREAS, NASTO States have some of the oldest and most frequently traveled infrastructure in the country that, because of its age and high usage, requires additional funding for maintenance and capital construction; and

WHEREAS, unobligated balances represent commitments to the states from the Highway Trust Fund and have provided states with flexibility to apply the obligation limitation to each state's unique needs and top priority highway programs; and

WHEREAS, reducing flexibility of funding in one mode only increases the state burden in meeting the investment levels needed for the unique multimodal transportation network in the Northeast; and

WHEREAS, the FAST Act rescission requires NASTO States to cut their share of contract authority in a proportional manner across all applicable highway program categories regardless of the relative balance contained, which ignores states' funding priorities reflected in the balance; and

WHEREAS, the Congressionally imposed rescission would eliminate 100 percent of all highway program funding growth provided under the FAST Act and would cut funding to states, thereby resulting in the deferral or elimination of infrastructure projects and jobs; and

WHEREAS, the rescissions could force states to cut actual highway expenditures at a time when NASTO States need to be investing in our aging infrastructure, potentially undermining the modest investment gains made in the FAST Act; and

WHEREAS, the Department of Transportation Appropriations Act, 2017 contained a \$857 million rescission of unobligated contract authority that rescinded \$173 million from NASTO states limiting their ability to effectively execute their federal program; and

WHEREAS, as of May 2018, the upcoming \$7.6 billion FAST Act rescission could result in an additional rescission of \$1.85 billion from NASTO states; and

WHEREAS, as of May 2018, 24 percent of the rescission is coming from the 11 states and the District of Columbia that compromise NASTO; and

WHEREAS, as of 2016, the majority of rescissions would be taken from three programs: National Highway Performance Program, the Transportation Alternatives Program, and the Congestion Mitigation and Air Quality Program; and

WHEREAS, Congress repealed the \$8.9 billion rescission planned at the end of “SAFETEA-LU” in 2009 because Congress recognized the adverse impacts the rescission would have on the federal program;

NOW, THEREFORE BE IT RESOLVED, Congress is urged to repeal the \$7.6 billion rescission scheduled for July 2020 under the FAST Act; and

BE IT FURTHER RESOLVED, if Congress does not repeal the scheduled rescission, eliminate the current exemptions for certain programs and provide the flexibility to States to determine from which program to rescind unobligated contract authority.

Approved by the NASTO Board of Directors
on February 28, 2019 in Washington, D.C.

**NOTE: Only the NASTO Members from the United States voted on this resolution.*