

March 23, 2020

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
H-232, The Capitol  
Washington DC 20515

The Honorable Mitch McConnell  
Majority Leader  
United State Senate  
S-230, The Capitol  
Washington DC 20510

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
H-204, The Capitol  
Washington, D.C. 20515

The Honorable Chuck Schumer  
Minority Leader  
United States Senate  
S-221, The Capitol  
Washington DC 20510

Cc:

Chairman Mike Crapo, Senate Committee on Banking, Housing, and Urban Affairs  
Ranking Member Sherrrod Brown, Senate Committee on Banking, Housing, and Urban Affairs  
Chairman Richard Shelby, Senate Committee on Appropriations  
Ranking Member Pat Leahy, Senate Committee on Appropriations  
Chairman Peter DeFazio, House Committee on Transportation & Infrastructure  
Ranking Member Sam Graves, House Committee on Transportation & Infrastructure  
Chairwoman Nita Lowey, House Committee on Appropriations  
Ranking Member Kay Granger, House Committee on Appropriations  
Members of the Senate  
Members of the House

**RE: Updated letter with 26 additional signatories**

Dear Speaker Pelosi, Majority Leader McConnell, Minority Leader McCarthy, and  
Minority Leader Schumer:

Due to the economic slowdown brought on by the spread of the novel coronavirus, many sectors of our economy are in need of financial support. Social distancing and reduced demand for certain public services are having, and will continue to have, a negative impact on many agency operating budgets, including public transit.

We strongly urge Congress to provide public transit agencies with at least \$12.875 billion in immediate direct financial assistance to ensure the continuation of safe and reliable service, including when the public health crisis has subsided but agency budgets are still experiencing strain.

Public transit agencies provide essential mobility to millions of Americans. For many people, transit service is the only way to access a doctor, pharmacy, job (including health care jobs), or childcare. This is especially true for many low-income people, communities

of color, and people with significant cognitive and physical disabilities that rely on door-to-door paratransit service provided by local transit authorities. It is also true for people who cannot afford to own a car, and seniors, youth, and others who cannot operate a vehicle.

Public transit agencies are experiencing significant decreases in ridership and farebox revenue, while simultaneously incurring increased costs for additional cleaning. Without federal financial assistance, many transit agencies and paratransit service providers will be forced to dramatically reduce or eliminate critical service. This could cut off health care and other workers from jobs, and further harm economic output.

Existing formula programs are designed to support capital investments. Simply stated, they are not designed to address the unique circumstances public transit agencies, riders, and local communities are facing during this public health crisis. In addition, many public transit agencies are precluded from receiving federal and state formula funds but will still be significantly impacted.

We strongly urge Congress to put additional funds in the hands of transit agencies that need it most for immediate operational and cleaning assistance and to ensure that these systems can continue to provide their essential service. One way to achieve this would be for Congress to temporarily waive the prohibition on using capital funds for operational expenses in mid- to large- communities (49 USC 5307). While we appreciate the Federal Transit Administration's (FTA) guidance providing additional flexibility to use formula funds for operating expenses, and at an increased federal share,<sup>1</sup> this action alone is not a sustainable solution. Additional funding and policies will be necessary to ensure the resources are provided to transit agencies that need it the most, including those who do not receive federal and state formula funds.

Without additional funding for direct operating assistance during this crisis, public transit agencies will be forced to use their limited capital funding to maintain operations during this crisis, undermining the long term fiscal health of the agency, and worsening the already significant multi-billion dollar maintenance backlog.

Local communities and transit agencies are being impacted in different ways, with some losing ridership to a much greater extent than others. This should be taken into account when supplemental funds are given to transit agencies.

Congress should also act to protect public transit agencies from future cuts to funding resulting from temporary ridership loss caused by people following the advice of public health experts. Formula funds are based in part on ridership from the previous year. Without Congressional action, public transit agencies may face additional financial pressure next year after the crisis is over due to reduced ridership during the crisis. Congress can consider a hold-harmless provision to ensure public transit agencies are able to sustain their vital capital investment programs.

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<sup>1</sup> <https://www.transit.dot.gov/about/news/us-department-transportation-announces-increased-flexibility-help-transit-agencies>

There is recent precedent to demonstrate the likely impact on public transit, riders, and local communities, and therefore the need for these types of investments. During the Great Recession of 2008-2009, transit agencies were forced to make enormous cuts to service and lay off thousands of employees, which had devastating impacts on riders and communities. Millions of people were left stranded in the wake of these massive cuts. As just one example, the Metropolitan Atlanta Rapid Transit Authority (MARTA) [eliminated more than half of their bus service](#) and train headways grew to 30 minutes at certain times of day. Failure to provide targeted operating assistance will likely result in similar service cuts today, and it could be years before service is restored.

We urge Congress to take proper action to ensure millions of Americans have access to health care and essential services during and after this public health crisis.

Sincerely,

Beth Osborne, Director  
Transportation for America

Michelle Robinson  
Director of Clean Transportation Program  
Union of Concerned Scientists

And

Arkansas

Joel Gardner, Executive Director  
Ozark Regional Transit

California

Richard Marcantonio,  
Managing Attorney  
Public Advocates Inc.

Susan Henderson,  
Executive Director  
Disability Rights Education  
& Defense Fund

Chris Flores, Special  
Assistant to the CEO/GM  
Sacramento Regional  
Transit District

Jesse Budlong, Planner  
BARTA

Matthew Baker, Policy  
Director  
Planning and Conservation  
League

Jeffrey Flynn, General  
Manager  
Unitrans (City of Davis/UC  
Davis)

Tiffani Fink, Chief  
Executive Officer  
Paratransit, Inc.

Gloria Salazar, Chief  
Executive Officer  
San Joaquin Regional

Andrew Chesley, Executive  
Director  
San Joaquin Council of

Transit District

Governments

Mengil A Deane Deane,  
Transit/Project Manager  
City of Auburn

Woodrow Deloria,  
Executive Director  
El Dorado County  
Transportation  
Commission

Michael Saragosa, Mayor  
City of Placerville

Jeffrey Tumlin, Director of  
Transportation  
San Francisco Municipal  
Transportation Agency  
(SFMTA)

David Schonbrunn,  
President  
Train Riders Association of  
California

Teri Shore, Regional  
Director  
Greenbelt Alliance

Wes Reutimann, Program  
Director  
ActiveSGV

Daniel Shoeman, Chief,  
Planning Division  
Sacramento County Dept.  
of Transportation

Terry Bassett, Executive  
Director  
Yolo County  
Transportation District

Claudia Burgos, Director of  
Legislative Affairs and  
Community Relations  
Alameda-Contra Costa  
Transit District

Linda Rudolph, Climate  
Health and Equity Advisor  
Center for Climate Change  
and Health

Jacklyn Montgomery,  
Executive Director  
California Association for  
Coordinated  
Transportation

Nenetzin Rodriguez,  
Program Coordinator  
Day One

Shannon  
Baker-Branstetter, Senior  
Policy Manager  
Green For All

Stacey Mortensen,  
Executive Director  
San Joaquin Regional Rail  
Commission

Chione Flegal, Managing  
Director  
PolicyLink

Matthew Mauk, Executive  
Director  
El Dorado County Transit  
Authority

Melanie Prasad, California  
Director  
Jobs to Move America

Jack Swearingen, Chair  
Friends of SMART

Michael Pimentel, Deputy  
Executive Director  
California Transit  
Association

Chanell Fletcher, Executive  
Director  
ClimatePlan

Casey Fromson, Director of  
Government Affairs  
Caltrain

Rick Coates, Executive  
Director  
EcoRing

John Ristow, Director of  
Transportation  
City of San Jose

Alvaro Sanchez,  
Environmental Equity  
Director  
The Greenlining Institute

Steve Roberts, President  
Rail Passenger Association  
of California and Nevada

Brian Yanity, Engineer  
Californians for Electric  
Rail

Jonathan Simkin, CEO  
Swiftly, Inc.

Hayley Currier, Policy  
Advocacy Manager  
TransForm

Cat Carter, Interim  
Executive Director  
San Francisco Transit  
Riders

### Colorado

Deya Zavala, Executive  
Director  
Mile High Connects

Aaron Kressig,  
Transportation  
Electrification Manager  
Western Resources  
Advocates

Bill Patterson, CFO  
Via Mobility Services

Ben Holland, Senior  
Associate  
Rocky Mountain Institute

Dan Blankenship, Chief  
Executive Officer  
Roaring Fork  
Transportation Authority

Marie Venner, Coordinator  
CatholicNetwork.US

Marie Venner, Chair  
Call to Action - CO

Colin Parent, Executive  
Director and General  
Counsel  
Circulate San Diego

### Connecticut

Lyle Wray, Executive  
Director  
Capitol Region Council of  
Governments

### District of Columbia

Caron Whitaker, Vice  
President, Government  
Relations  
League of American  
Bicyclists

David Friedman, Vice  
President, Advocacy  
Consumer Reports

Margo Pedroso, Deputy  
Director  
Safe Routes Partnership

Heidi Simon, Deputy  
Director  
America Walks

Scott Bogren, Executive  
Director  
Community Transportation  
Association of America  
(CTAA)

Darien Davis, Legislative  
Representative, Climate &  
Clean Energy  
League of Conservation  
Voters

Harriet Tregoning, Director  
New Urban Mobility  
(NUMO) alliance

Basav Sen, Director,  
Climate Policy Program  
Institute for Policy Studies

Josh Boxerman, Policy and  
Research Associate  
The Leadership Conference  
on Civil and Human Rights

Tyson Slocum, Energy  
Program Director  
Public Citizen, Inc.

Steve Lieberman, Director,  
Policy & Advocacy  
United Spinal Association

Steven Segerlin, Urban  
Planner  
Carless Citizen

Scott Wilkinson, CEO  
AlphaVu

Mel Wilson, Senior Policy  
Consultant  
National Association of  
Social Workers

Dan Becker, Director Safe  
Climate Campaign

David Alpert, Executive  
Director  
Greater Greater  
Washington

Stewart Schwartz,  
Executive Director  
Coalition for Smarter  
Growth

David Alpert, Executive  
Director  
DC Sustainable  
Transportation

Jeff Boothe, Chair  
Capital Investment Grants  
Working Group

Cyrus Huncharek, Public  
Policy Analyst  
National Disability Rights  
Network (NDRN)

Andrew Grinberg, National  
Campaigns Special Projects  
Manager  
Clean Water Action

Molly Burgdorf, Director of  
Rights Policy  
The Arc of the United  
States

Kelsey Anderson, Policy  
Advisor  
The Climate Reality Project

Karl Stark, Legislative  
Specialist  
American Federation of  
State, County and  
Municipal Employees  
(AFSCME), AFL-CIO

Jim Mathews, President &  
CEO  
Rail Passengers Association

Sarah Malaier, Public Policy  
and Research Advisor  
American Foundation for  
the Blind

John Hill, Deputy General  
Secretary  
The United Methodist  
Church - General Board of  
Church and Society

Roxanne Blackwell,  
Director of Federal  
Government Affairs  
American Society of  
Landscape Architects

Reuben Eckels, Policy  
Advocate  
Church World Serves

Andrea McGimsey, Senior  
Director, Global Warming  
Solutions  
Environment America

Ann Shikany, State and  
Federal Advocate  
Natural Resources Defense  
Council

### Florida

Carolyn House Stewart  
Stewart, Interim CEO  
Hillsborough Area Regional  
Transit Authority (HART)

Steven Abrams, Executive  
Director  
South Florida Regional  
Transportation Authority

Mary Gutierrez, Executive  
Director  
Earth Ethics, Inc.

Paul Owens, President  
1000 Friends of Florida

### Georgia

Colleen Kiernan, Senior Dir  
Gov & Community Affairs  
Metropolitan Atlanta Rapid  
Transit Authority (MARTA)

Anne Blair, Director of  
Transportation  
Southeast Energy  
Efficiency Alliance

Odetta MacLeish-White,  
Managing Director  
TransFormation Alliance

Tejas Kotak, RAIL  
Committee Chair  
Georgia Sierra Club

Joe Allen, Executive  
Director  
Gwinnett Place Community  
Improvement District (CID)

Deborah Scott, Executive  
Director  
Georgia STAND-UP

Dan Raudebaugh,  
Executive Director  
Center for Transportation  
and the Environment (CTE)

Nathaniel Smith, Founder &  
CEO  
Partnership for Southern  
Equity

### Idaho

Jamie Morgan, Owner  
Idaho Bike Life

Daren Fluke, Deputy  
Director for  
Comprehensive Planning  
City of Boise

## Illinois

Kyle Whitehead, Managing Director of Public Affairs Active Transportation Alliance

Audrey Wennink, Director of Transportation Metropolitan Planning Council

Richard Harnish, Executive Director High Speed Rail Alliance

Kim Stone, Councilwoman City of Highland Park Councilmember

Laura Wilkison, Deputy Executive Director, Plan Implementation & Legislative Affairs Chicago Metropolitan Agency for Planning

Bailey Arnold, President & Chief Sustainability Officer (CSO) Fueling America

Ann Mesnikoff, Federal Legislative Director Environmental Law & Policy Center

Sophie Michals, President (SM) Edits LLC

Robert Dean, CEO Center for Neighborhood Technology

Brian Urbaszewski, Director, Environmental Health Programs Respiratory Health Association

Veronica Stowe, Assistant General Manager First transit

Ghida Neukirch, City Manager City of Highland Park

Stacy Meyers, Senior Counsel Openlands

Leanne Redden, Executive Director Regional Transportation Authority -Chicago

Sharon Feigon, Executive Director Shared-Use Mobility Center

Rocky Donahue, Executive Director Pace Suburban Bus

Richard Alexander, CEO Transdev US

## Indiana

Inez Evans, President and CEO IndyGo

Mark Fisher, Chief Policy Officer Indy Chamber

Ehren Bingaman, Interim Executive Director Central Indiana Regional Transportation Authority

Brady Young, Sr. Business Development Executive Ford Smart Mobility - DoubleMap, Ride Systems, Transloc



Iowa

Ashley Vanorny,  
Councilmember  
City of Cedar Rapids

Kris Patrick, Executive  
Director  
Main Street Fort Dodge

Louisiana

Alex Posorske, Executive  
Director  
Ride New Orleans

Massachusetts

Stacy Thompson, Executive  
Director  
LivableStreets Alliance

Matt Casale,  
Transportation Campaign  
Director  
U.S. PIRG

Quinton Zondervan, City  
Councillor  
Office of Cambridge City  
Councillor Quinton  
Zondervan

Chris Dempsey, Director  
Transportation For  
Massachusetts

Jarred Johnson, Director  
TransitMatters

Abbie Goodman, Executive  
Director  
American Council of  
Engineering Companies of  
Massachusetts

Gina Coplon-Newfield,  
Director - Clean  
Transportation for All  
Sierra Club

Dwaign Tyndal, Executive  
Director  
Alternatives for  
Community and  
Environment (ACE)

Ryan Martel, Senior  
Director - Federal Policy  
Ceres

Jason Palitsch, Executive  
Director  
495/MetroWest  
Partnership

Lizzi Weyant, Director of  
Government Affairs  
Metropolitan Area  
Planning Council

Alison Leary, City Councilor  
City of Newton

Adam Thielker, Chair  
Ridership Advisory  
Committee

Richard Dimino, President  
and CEO  
A Better City

Sabrina Davis, Lead  
Organizer  
Coalition For Social Justice

Maryland

Michael Nesselt, Chief of Operations  
Montgomery County  
Division of Transit

Nanci Wilkinson, Chair  
Environmental Justice  
Ministry, Cedar Lane  
Unitarian Universalist  
Church

Steven Hershkowitz,  
Maryland Director  
Chesapeake Climate Action  
Network

Tafadzwa Gwitira, Steering  
Committee  
Get Maryland Moving

Christopher Conklin,  
Director  
Montgomery County  
Department of  
Transportation

Jack Clark, Executive  
Director  
Transportation Learning  
Center

Bob Musil, President &  
CEO  
Rachel Carson Council

Jed Weeks, Policy Director  
Bikemore

Iris Zhan, Hub coordinator  
Sunrise Movement Howard  
County

Cheryl Barnds, Organizer  
Climate First!

Brian O'Malley, President &  
CEO  
Central Maryland  
Transportation Alliance

Cecilia Plante, co-chair  
Maryland Legislative  
Coalition

Johanna Wermers,  
Transportation  
Representative  
The Climate Mobilization,  
Montgomery County

Eliza Cava, Director of  
Conservation  
Audubon Naturalist Society

Anita Morrison, Principal  
Partners for Economic  
Solutions, LLC

Donald M. Goldberg,  
Executive Director  
Climate Law & Policy  
Project (CLPP)

Joseph Uehlein, President  
Labor Network for  
Sustainability

Patrick Wojahn, Mayor  
City of College Park, MD

Robin Budish, Director  
Transit Choices

Maine

Pious Ali, Councilor At Large  
City of Portland

Michigan

Charles Griffith, Climate  
and Energy Program  
Director  
Ecology Center

Megan Owens, Executive  
Director  
Transportation Riders  
United (TRU)

Joel Batterman, Co-Chair,  
Board of Directors  
Motor City Freedom Riders

Minnesota

William Schroer,  
Executive Director  
East Metro Strong

Samuel Rockwell, Executive  
Director  
Move Minnesota

Aaron Klemz, Director of  
Public Engagement  
Minnesota Center for  
Environmental Advocacy

Michael Noble, Executive  
Director  
Fresh Energy

Missouri

Karl Skala, Mayor Pro Tem  
City of Columbia

Tom Scannell, Community  
Development Director  
City of Independence

Kimberly Cella, Executive  
Director  
Citizens for Modern Transit

Kimberly Cella, Executive  
Director  
Missouri Public Transit  
Association

Montana

Corey Aldridge, CEO /  
General Manager  
Missoula Urban  
Transportation District  
(Mountain Line)

Kristen Galbraith, Director  
of Grants & Special Projects  
Park County

North Carolina

DeDreana Freeman,  
Durham City Council  
Member  
City of Durham

Eddie Braxton, Mayor  
Town of Scotland Neck

Jay Wagner, Mayor  
City of High Point

Bruce Jones, Transit  
Planner  
Charlotte Area Transit  
System

Shannon Binns, Executive  
Director  
Sustain Charlotte

### New Jersey

Peter Kasabach, Executive  
Director  
New Jersey Future

### New York

Danny Pearlstein, Policy &  
Communications Director  
Riders Alliance

John Kaehny, Executive  
Director  
Reinvent Albany

Julie Tighe, President  
New York League of  
Conservation Voters

Christy Veeder, National  
Program Director  
Jobs to Move America

Michael Vaccarino,  
Business Development  
Via Transportation

Tom Wright, President and  
CEO  
Regional Plan Association

Lisa Daglian, Executive  
Director  
Permanent Citizens  
Advisory Committee to the  
MTA (PCAC)

Corinne Kisner, Executive  
Director  
National Association of  
City Transportation  
Officials (NACTO)

Julie Tighe, President  
New York League of  
Conservation Voters

Laura Berry, Director of  
Research and Publications  
Climate Mobilization  
Project

Darwin Keung, Policy  
Analyst  
Tri-State Transportation  
Campaign

Simon Husted, Volunteer  
Leader  
Buffalo Transit Riders  
United

### Oklahoma

Mark Nestlen, Executive  
Director  
Oklahoma Transit  
Association

### Oregon

Alan Journet, Co-Facilitator  
Southern Oregon Climate  
Action Now

Bernie Bottomly, Executive  
Director, Public Affairs  
TriMet

Rob Zako, Executive  
Director  
Better Eugene-Springfield  
Transportation (BEST)

Lorenzo Fourmet, Safety and Training Supervisor  
Yamhill County Transit Area

Nico Larco, Director / Professor  
Urbanism Next - University of Oregon

Sara Wright,  
Transportation Program Manager  
Oregon Environmental Council

Denny Doyle, Mayor  
City of Beaverton

Ashley Henry, Executive Director  
Business for a Better Portland

Jarrett Walker, President  
Jarrett Walker + Associates

Lynn Peterson, Metro Council President  
Metro Council

Tiffany Edwards, Director of Business Advocacy  
Eugene Area Chamber of Commerce

Richa Poudyal, Advocacy Director  
The Street Trust

Mary Kyle McCurdy, Deputy Director  
1000 Friends of Oregon

RJ Sheperd, Co-Chair  
Bike Loud PDX

#### Pennsylvania

John Dodds, Director  
Philadelphia  
Unemployment Project

Jesse Barlow, Council President  
Borough of State College

Kathy Bednarek, Grants Coordinator  
Luzerne County  
Transportation Authority

Nat Lownes, Co-chair  
Philly Transit Riders Union

Dena Driscoll, Chair  
5th Square

John Bosio, Partner  
MERJE

Matt Smith, President  
Greater Pittsburgh  
Chamber of Commerce

Stacie Reidenbaugh,  
President and CEO  
10,000 Friends of  
Pennsylvania

Michael Carroll, Deputy  
Managing Director  
City of Philadelphia

Laura Wiens, Executive Director  
Pittsburghers for Public Transit

## Tennessee

Stephen Edwards,  
Transportation Program  
Manager  
Division of Engineering  
City of Memphis

Stan Cross, Electric  
Transportation Policy  
Director  
Southern Alliance for Clean  
Energy

Adam Blair, Founding  
Principal  
APB Planning & Policy

## Texas

Leroy Alloway, Director,  
Government & Community  
Relations  
VIA Metropolitan Transit

David Cantu, Alderperson  
Place Two  
City of San Elizario

Thomas Lambert, President  
& Chief Executive Officer  
Metropolitan Transit  
Authority of Harris County,  
Texas

Bee Moorhead, Executive  
Director  
Texas Interfaith Center for  
Public Policy/Texas Impact

Rich Sampson, Executive  
Director  
South West Transit  
Association

Tequita Dudley, Assistant  
General Manager  
Longview Transit

## Utah

Ryan Leavitt, Washington  
Representative  
Utah Transit Authority

## Virginia

Carl Jackson,  
Transportation Planning  
Manager  
City of Portsmouth

Bob Schneider, Executive  
Director  
OmniRide/PRTC

Joseph Swartz, Chief of  
Staff  
Virginia Railway Express  
(VRE)

Kate Mattice, Executive  
Director  
Northern Virginia  
Transportation  
Commission

Mary Paden, Chair  
South County Task Force  
for Human Services

KellyAnne Gallagher,  
Executive Director  
Commuter Rail Coalition

Danielle Simms, Interim  
Political Director  
Virginia League of  
Conservation Voters

Paul Littell, Founding EV  
Chair,  
Sierra Club Virginia

Danny Plaughter, Executive  
Director  
Virginians for High Speed  
Rail

Wyatt Gordon, Policy  
Manager for Land Use &  
Transportation  
Virginia Conservation  
Network

Trip Pollard, Director, Land  
& Community Program  
Southern Environmental  
Law Center

Josh Baker, CEO  
Alexandria Transit  
Company (DASH)

Ross Catrow, Executive  
Director  
RVA Rapid Transit

### Washington

Hester Serebrin, Policy  
Director  
Transportation Choices  
Coalition

Arthur Bachus, Foundation  
Board President  
Seattle Subway

Kirk Hovenkotter,  
Executive Director  
Greater Redmond  
Transportation  
Management Association

Andrew Kidde,  
Transportation Team lead  
350 Seattle

Betty Barnes, Mayor  
City of Bingen

Katie Wilson, General  
Secretary  
Transit Riders Union

Anna Zivarts, Program  
Director  
Rooted in Rights/Disability  
Rights WA

Annabel Drayton, Policy  
Associate  
NW Energy Coalition

Doug Trumm, Executive  
Director  
The Urbanist

Ty Stober, Councilmember  
& Board Member  
City of Vancouver &  
C-TRAN

Jessica Engelman, Chair  
SpokAT

### Wisconsin

Susan De Vos, president  
Madison Area Bus  
Advocates

Nicholas DeMarsh,  
President  
Wisconsin Transit Riders  
Alliance

Joyce Boyland, Associate  
Professor  
New Urban Friends