



February 9, 2022

The Honorable Shalanda Young
Acting Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Acting Director Young,

I write today with concerns over the potential loss of important new infrastructure funding due to Congress' continued inaction in passing an FY22 omnibus appropriations bill.

Last year, the Senate passed and President Biden signed a historic bipartisan infrastructure package that will help deliver on the decades-old promise of serious investment in our nation's infrastructure. The Infrastructure Investment and Jobs Act (IIJA) includes \$110 billion in new funding for roads and bridges, nearly \$40 billion in new funding for public transit, and billions more for essential infrastructure improvements. I was proud to be part of a bipartisan group of ten Senators – five Democrats and five Republicans – who helped put this package together with the support of the Administration.

However, I am concerned that Congress' continued inaction on Fiscal Year 2022 appropriations could undercut many of the investments provided under the new law. Significant increases to Highway Trust Fund programs to construct roads, bridges, and transit cannot take effect under a Continuing Resolution (CR). Due to a constraint of the CR, the obligation limit on contract authority for Highway Trust Fund programs that are the largest areas of highway and transit investment distributed annually, which were authorized in the *IIJA* for significant funding increases, are stuck at lower Fiscal Year 2021 levels. Additionally, due to the "No New Starts" provision of the CR, newly created programs in the *IIJA* cannot begin.

In particular, the newly established Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) Grant Program, which received \$7.3 billion in formula funding and \$1.4 billion in competitive grants to improve the resiliency of transportation infrastructure in the *IIJA*, cannot begin to distribute funding without a full-year appropriations bill. Just this fiscal year, that means the potential squandering of \$1.4 billion nationwide, and approximately \$36 million in Virginia. This would prevent coastal communities, like those in Hampton Roads, from accessing critical funds that would support the resiliency of their transportation networks.

Similarly, the Carbon Reduction Program, another program approved on a broadly bipartisan basis to lower carbon emissions in our transportation system, stands to lose \$1.2 billion nationwide this fiscal year, including \$31 million in Virginia. This program will go a long way in Virginia towards helping us meet our climate goals, whether it is supporting the electrification of

the Port of Virginia, truck stop electrification along the I-81 corridor, or installing bicycle and pedestrian facilities in cities and towns across the Commonwealth.

If Congress is unable to come to an agreement on full-year appropriations for Fiscal Year 2022, Virginia alone could lose approximately \$364 million in roads and bridges funding and \$53 million in transit funding. This is unacceptable, and I have repeatedly urged my colleagues to come together and pass an omnibus FY 2022 appropriations bill rather than squander these funding opportunities with another CR. Unfortunately, I am concerned this may just be the tip of the iceberg.

To better understand the full impact of another CR on these critical projects, I respectfully request that the Office of Management and Budget outline in detail, by Monday, February 14, all IJA programs that are at risk of losing funding relative to funding levels authorized in IJA, or having funding delayed under the CR framework.

I thank you and your staff for your tireless efforts in implementing the IJA and your work in allocating and distributing these funds to communities across the country. Please do not hesitate to reach out if you have any questions, and I look forward to continue working with you to support these critical projects for Virginia and the country.

Sincerely,



Mark R. Warner
United States Senator