

Testimony from Rep. Ed Perlmutter (CO-7)
House Transportation & Infrastructure Committee
Member Day Hearing
May 1, 2019

Chairman DeFazio, Ranking Member Graves, and members of the Committee, thank you for the opportunity to submit testimony for consideration for the Committee's legislative agenda this Congress. As the Committee works on an infrastructure package and the reauthorization of the Fixing America's Surface Transportation (FAST) Act, I urge the Committee to consider several items important to Colorado.

Investing in our nation's infrastructure is an important issue which enjoys broad bipartisan support as it is a key component to our national economic growth. We need to fix our aging infrastructure and help fund technological improvements to transportation, energy, water, broadband, and more to help keep our economy competitive in the long run. Any infrastructure package needs to include substantial federal investment in partnership with innovative authorities to provide the tools and funding necessary for our states and local communities.

I also urge the Committee to include investments in our federal buildings owned and operated by the General Services Administration and other federal agencies in an infrastructure package. The Denver Federal Center is in my district and is home to the highest concentration of federal agencies outside of the Washington, DC area with about 28 federal agencies and over 6,000 federal employees. I've seen first hand the problems federal employees face in buildings over 50

years old which are falling apart and affecting the ability of federal employees to do their job on behalf of our constituents.

Additionally, for over 40 years the National Renewable Energy Lab (NREL) in my district has advanced the science of renewable energy and energy efficiency technologies while building the capabilities to guide rapid deployment of commercial applications. NREL employs over 1,700 scientists, engineers and support staff, and operations at NREL support our entire Denver metro area and the nation with an estimated annual economic impact of over \$1.1 billion across the country. NREL is running out of both lab and office space, including collaborative space where commercial industry can partner with federal scientists and utilize the lab's equipment. These are two examples of the importance of needs for investment in our federal infrastructure.

In the transportation arena, there are three issues I urge the Committee to address this year. First, the Railroad Rehabilitation and Improvement Financing (RRIF) loan program needs to be revisited to allow the Department of Transportation to repay Credit Risk Premiums (CRPs) for projects which have paid off their loans and pose no further risk to the federal government. This has been a longstanding issue in the RRIF program, and thankfully the FAST Act removed the requirement for loan recipients to pay their own credit risk premium and instead allow Congress to appropriate funding to cover the government's risks as a RRIF lender.

However, the FAST Act only fixed the issue for new loans issued after enactment, leaving previous projects without a solution. I'm glad the T&I Committee has worked with the Appropriations Committee over the last several years to provide relief to the first of three RRIF

loan cohorts with loans issued from 2002 to 2005. The second loan cohort with loans from 2006 to 2008 have all been retired allowing CRPs to be returned to the borrowers under the previous statute. However, the third cohort of loans made in 2009 to 2015 remains in limbo. One project in that cohort is the Denver Union Station Project. The project paid back its loan more than 20 years early resulting in no more risk to the federal government. Yet the Department of Transportation will not repay the over \$29 million CRP without a legislative solution. Other projects across the country are similarly impacted and need relief. I urge the Committee to pass legislation for the third loan cohort similar to the provision include in the FY 2019 Consolidated Appropriations Act for the first loan cohort. This provision would require CRPs to be repaid once the loan is retired, and finally close the chapter on this issue. Importantly, it would also allow these entities awaiting repayment to use the returned funds on new infrastructure improvements.

Another item needing to be addressed is the definition of Fixed Guideway Bus Rapid Transit Project. Colorado has successfully deployed Bus Rapid Transit (BRT) projects leveraging existing infrastructure and managed toll lanes. These routes have reliable travel times similar to that of fixed guideway dedicated bus lanes and expanding the definition would enable communities to compete for BRT funding using the best options available to them. The current narrow definition limits this program to a select few regions which unfairly excludes these innovative BRT projects.

Lastly, I urge the Committee to work collaboratively to improve safety at railroad grade crossings and continue pushing the Federal Railroad Administration (FRA) to revise the 2005

rule on the Use of Locomotive Horns at Highway-Rail Grade Crossings, commonly referred to as the Train Horn Rule. Several communities in my district and across Colorado have struggled to meet the requirements of the Train Horn Rule to establish Quiet Zones. I have pushed for the FRA to review and amend the Train Horn Rule to improve the incorporation of innovative technologies and solutions to better encourage the establishment of Quiet Zones which improve public safety, reduce train horn noise, and improve economic competitiveness. The current rule is cost prohibitive for many communities which reduces the likelihood of safety upgrades at railway crossings. The Committee should also consider creating a competitive grant program for communities wishing to establish quiet zones. This would reduce one of the barriers towards adoption of Quiet Zones and improve safety in our communities.

I again want to thank the Committee for offering members the opportunity to comment on your agenda this Congress. I look forward to working with all the Committee's members to enact these and other improvements on behalf of our constituents.