

Congress of the United States
Washington, DC 20515

February 13, 2012

The Honorable John L. Mica
Chairman
House Transportation and Infrastructure Committee
2187 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Mica,

As representatives of the 4.1 million Americans residing in the five U.S. territories, we write to respectfully express our concern regarding Section 1103 of H.R. 7, the *American Energy and Infrastructure Jobs Act of 2012*, which would change the source of funding for the highway programs in our jurisdictions. As you are aware, under the bill, annual allocations for the Puerto Rico Highway Program and the Territorial Highway Program would no longer be funded from the National Highway Trust Fund, which has been the historical funding source for these programs. Instead, our highway programs would be funded from a new “alternative transportation account” that would, in turn, be funded through a one-time, \$40 billion transfer from the General Fund.

You have always been a strong champion of the territories and particularly sensitive to our unique transportation needs, as evidenced by the welcome fact that H.R. 7—unlike its Senate counterpart—does not purport to reduce annual funding for our highway programs below its current level. Nevertheless, we are deeply concerned that the proposed change could ultimately place these critical programs in jeopardy, because their funding would no longer be tied to a dedicated source of revenue. To the contrary, allocations to the territories would have to compete for funding against, among other things, transit projects in all 50 States, since funding for these projects is also being migrated from the National Highway Trust Fund to the alternative transportation account. If funding for the alternative transportation account runs out, as could well be the case, the territories would have to compete for their federal highway funds in the annual appropriations process, with no legal assurances that funding levels would not be reduced. In that case, the territories would be treated unequally relative to the States, whose highway funding is guaranteed from the Highway Trust Fund.

To obviate this risk, we have filed an amendment to H.R. 7 that would continue the longstanding practice of funding the Puerto Rico Highway Program and the Territorial Highway Program through the Highway Trust Fund. We hope you will look favorably upon our amendment and agree to include it as part of your manager's amendment.

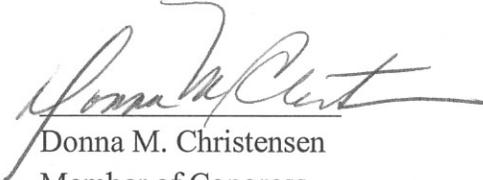
Sincerely,



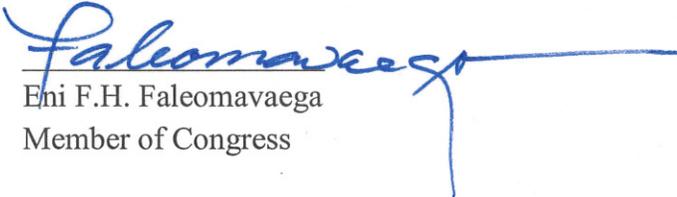
Pedro R. Pierluisi
Member of Congress



Madeleine Z. Bordallo
Member of Congress



Donna M. Christensen
Member of Congress



Eni F.H. Faleomavaega
Member of Congress



Gregorio Kilili Camacho Sablan
Member of Congress