

Congress of the United States
Washington, DC 20515

December 16, 2021

The Honorable Pete Buttigieg
Secretary
Department of Transportation
1200 New Jersey Avenue SE
Washington, D.C. 20590

Secretary Buttigieg:

We write to express our continued opposition of Texas Central Railroad's (TCR) ability to access taxpayer-subsidized federal funding. The Build Back Better Act which passed the U.S. House recently has allocated \$10 billion to the Passenger Rail Improvement, Modernization, and Emissions Reduction (PRIME) grant program for the purpose of planning and construction of high-speed rail projects.

To be clear, we strongly support infrastructure that advances the growth of our country; however, we oppose federal intervention and funding for a controversial project that is tens of billions of dollars over budget, years behind schedule, lacks a single permit to construct and has publicly pledged to be constructed "exclusively with private financing."¹

As TCR struggles with financing and permitting – and undergoes a Texas Supreme Court challenge – it is imperative that the U.S. Department of Transportation safeguard taxpayer dollars and recognize the economic injustice imposed upon rural citizens and their communities by a project that private investors are fleeing for good reason.

In Texas our constituents fear a repeat of the California high-speed rail project which, despite 25 years of planning², has tripled in cost, destroyed homes and businesses in communities and robbed residents of their jobs and property.³ Like in California, we are gravely concerned the Texas Central Railroad project will irreparably harm rural and socioeconomically disadvantaged communities.

As you may know, DOT PRIME grants fall under Title 49 of the U.S. Code which guides the eligibility of projects to receive grant funds. Under this law, only “a State, a group of States, an

¹ Matthews, Chris. “After years of work, Texas firm aims to break ground on high-speed rail project.” <https://www.bizjournals.com/houston/news/2020/01/10/after-years-of-work-texas-firm-aims-to-break.html>. Accessed 29 November 2021.

² United States Government Accountability Office. *California High-Speed Passenger Rail: Project Estimates Could Be Improved to Better Inform Future Decisions*. <https://www.gao.gov/assets/gao-13-304.pdf>. GAO-13-304. Accessed 29 November 2021.

³ Vartabedian, Ralph. “Bullet train leaves a trail of grief among the disadvantaged of the San Joaquin Valley.” <https://www.latimes.com/california/story/2021-10-29/california-bullet-train-impacts-disadvantaged-communities-san-joaquin-valley>. Accessed 29 November 2021.

Interstate Compact, a public agency established by one or more States and having responsibility for providing high-speed rail service, or Amtrak” can apply for a PRIME grant.⁴ Under this rule, TCR would be ineligible for PRIME grants due to their incorporation as a private company. Should Texas Central become a public project or otherwise become eligible for PRIME grants, we would continue to urge you to deny funding this failing project with taxpayer dollars.

In the desire to protect American taxpayers and Texas rural communities, we continue to oppose any taxpayers-subsidized federal funding for Texas Central. Thank you for your leadership and considering our concerns.

Sincerely,



Kevin Brady
Member of Congress



Jake Ellzey
Member of Congress



Michael T. McCaul
Member of Congress

⁴ 49 USC §26106