



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

December 14, 2009

The Honorable James L. Oberstar
Chairman, Committee on Transportation
and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Section 5309(l)(1) of Title 49, United States Code, as amended by the *Safe, Accountable, Efficient Transportation Equity Act: A Legacy For Users* (SAFETEA-LU) requires the Secretary of Transportation to submit to the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Appropriations of the Senate a report containing a summary of the results of *Before and After Studies* every year on the first Monday in August. Since the last Report in 2008, no additional *Before and After Studies* have been due from New Starts or Small Starts project sponsors. Therefore, I am providing this letter to indicate that there is nothing new to report at this time.

The SAFETEA-LU amended Section 5309 of Title 49, United States Code to add a new provision in Section 5309(g)(2)(C) that requires a project sponsor to develop a *Before and After Study* as a condition for each new Full Funding Grant Agreement (FFGA). These studies are intended to assess the effects of New Starts projects, compare the actual and forecasted costs of the projects and ridership 2 years after opening, and identify the sources of differences between predicted and actual outcomes. This new provision of law made statutory a requirement that was in the Federal Transit Administration's (FTA) New Starts Regulation, which went into effect in April 2001. *Before and After Studies* represent an important mechanism for determining the impact of major Federal transportation investments and for determining how the cost and benefit forecasts of these projects can be made even more reliable.

Given that the last milestone for collection of information for the *Before and After Study* does not occur until 2 years after a project has opened, it can take a number of years after a project receives an FFGA for a *Before and After Study* to be completed. It can then take several additional months for the project sponsor to synthesize and evaluate all the information collected over the period of a project's development. The next *Before and After Study* is scheduled to be submitted in May 2010 by the Charlotte Area Transit System for their recently opened South Corridor Light Rail Transit Project.

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A similar response has been sent to the Ranking Member of the House Committee on Transportation and Infrastructure and to the Chairmen and the Ranking Members of the House and Senate Committees on Appropriations and the Senate Committee on Banking, Housing, and Urban Affairs.

Sincerely yours,

Ray L. Hood

