



October 8, 2020

Honorable Greg Abbott
The State of Texas, Governor
Post Office Box 12428
Austin, Texas 78711

Dear Governor Abbott,

Texans greatly appreciate your leadership that continues to contribute to Texas being the most successful state in our country. As you know, for rural and suburban Texans, your commitment to protecting the private property rights of all Texans creates enormous support for you in our communities. Because of that commitment, we were extremely disappointed to see that the disinformation campaign by Texas Central Railway (TCR) has reached your office and was the basis of your letter to the Prime Minister of Japan, which contained inaccurate talking points pushed by TCR and eagerly repeated by the media to promote the Green New Deal.

We are writing this letter to address two of the inaccuracies and ask that you reconsider any support for the deeply flawed high-speed rail project (Project) proposed by TCR.

TCR Does Not Have Permits to Begin Construction

"FRA does not grant any kind of construction approval or permit. Neither does the final rule, by itself, grant any permission or authority for TCRR [Texas Central] to operate"-excerpt from FRA's pre-published final RPA and ROD, Page 15.

Additionally, contrary to TCR's public statements, the Surface Transportation Board (Board) dealt a devastating blow to the Project when it recently asserted jurisdiction over the Project and denied TCR's petition to exempt itself from the safety standard approval requirements for the construction of new railroads. As a result, TCR will be required to file a full application and disclose, among other information, the manner in which it proposes to finance construction and the extent to which funds for financing are now available. The ruling specifically states "[TCR's] petition for exemption to construct and operate the line will be denied, and any future request for construction or operation authority will need to be made by application."

As the costs of the project have ballooned from the original \$10 billion to now an estimated \$30 billion¹ along with TCR facing deep financial troubles², receiving Board approval is highly unlikely given multiple financial feasibility analyses³, including one from our own Texas Department of Transportation (TxDOT), that indicates the Project is unlikely to be financially feasible at a \$10 billion cost, much less \$30 billion currently estimated by the company today.

Importantly, faced with their current financial crisis, TCR is now admitting what we all knew from the beginning, as it is mounting a federal lobby effort to secure taxpayer money to fund the Project and subsidize the massive seizure of Texas private property. Far from being ready to build, their last hope is a massive Democratic wave that funds the Green New Deal and wipes out the barriers to the Japanese building a 50-foot electric barrier through the heart of rural and suburban communities in East Texas.

We are very concerned your statement of "Full Support" of this project includes supporting the lack of financial feasibility of a project destined to leave the taxpayers on the hook for this financial boondoggle.

The Project Does Not Have Public Support or Momentum

Texas landowners have fiercely opposed the Project since it was announced, thousands of whom submitted verified affidavits to the Board opposing the project. The Texas Legislature has enacted reforms, SB977-85th Legislature⁴, with your support to ensure the Project receives no State taxpayer funds. It stands to reason if we are going to protect the taxpayers of Texas at the State level than we would want to stand with our federal partners to do the same. Five of the seven impacted counties have officially opposed the Project. Three trial court judges have already rejected TCR's claim of eminent domain authority and one case is now pending before the Supreme Court of Texas with multiple organizations, including the Texas & Southwestern Cattle Raisers Association and the Texas Farm Bureau filing briefs to support the property rights of rural Texans.

Financially the Project is in disarray and multiple members of the Texas congressional delegation have stepped in to oppose a federal bailout for the Project. Texas Central's last hope is an infusion of money from Japan and the enactment of the Green New Deal, providing a taxpayer bailout on the project before it ever even gets started.

We ask that you reconsider any support for this Project, which will permanently divide our communities and State with an electrified barrier, promoted only by those seeking to profit off of Texas taxpayers and property owners. We would welcome the opportunity to meet with you to provide greater detail regarding the problems with this Project and the many ways it will be a detriment to Texas.

¹ <https://media.bizi.us/view/img/11674387/dallas-business-journal-letter.pdf> & <https://bizi.us/1q4dyv>

² <https://abc13.com/texas-bullet-train-layoffs-from-dallas-to-houston-high-speed/6059224/>

³ <http://ftp.txdot.gov/pub/txdot-info/rail/rail-ridership-report-1213.pdf> & <https://reason.org/policy-brief/covid-19-and-soaring-costs-are-new-challenges-for-texas-high-speed-rail-line/>

⁴ <https://legiscan.com/TX/text/SB977/id/1527379>

Respectfully,



Representative Ben Leman



Senator Brian Birdwell



Senator Brandon Creighton



Senator Lois Kolkhorst



Senator Robert Nichols



Senator Charles Perry



Senator Charles Schwertner



Representative Trent Ashby



Representative Cecil Bell, Jr.



Representative Keith Bell



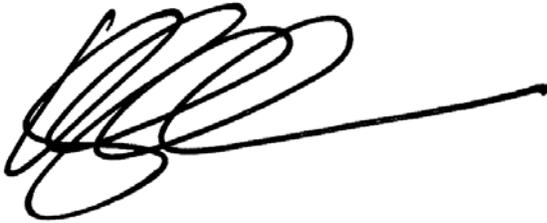
Representative-Elect Jake Ellzey



Representative Cody Harris



Representative Steve Toth



Representative Kyle Kacal



Representative James White



Representative John Wray



Representative Will Metcalf