**Arts in Transit Projects: Status Updates**

**Recap**:

Effective December 2015, new federal law ([Pub. L. No. 114-94](https://www.congress.gov/114/plaws/publ94/PLAW-114publ94.pdf), the FAST Act) prohibits federal transit funds (both loans and grants) (from the Federal Transit Administration, FTA) to pay for the incremental costs of incorporating art or non-functional landscaping into transit facilities, including the cost of an artist on the design team. This is a new change. The law currently extends for 5 years, lasting until Fiscal Year 2020. Americans for the Arts opposes the restriction.

**What’s happened since**:

1. *Webinars*: Both FTA and Americans for the Arts have held separate [webinars](https://artsu.americansforthearts.org/products/virtual-conversation-arts-in-transit-transportation-projects) on the new changes and what they mean for the field, including taking questions.
2. *Memo*: Americans for the Arts sent this [memo to the field](http://www.americansforthearts.org/sites/default/files/pdf/2016/by_program/networks_and_councils/pan/tools/FAST%20implementation%20memo%20to%20the%20field_FINAL.PDF).
3. *Advocacy*: 88 national organizations, as partners of Arts Advocacy Day, drafted an [issue brief](http://www.americansforthearts.org/sites/default/files/pdf/2017/events/arts_advocacy_day/issue_briefs/15.%20Arts%20%26%20Infrastructure.pdf) urging Congress to allow transit authorities the flexibility to incorporate art into federally-funded transit projects and facilities, as they could under the prior law. This issue brief was [presented](http://www.americansforthearts.org/sites/default/files/Arts%26Infrastructure.pptx) during a training break-out session at the 30th annual Arts Advocacy Day on March 20, 2017, in Washington, DC, which drew new, record attendance (712 attendees in total for the advocacy day, representing every state.)
4. *Hill meetings*: Arts advocates had more than 400 face-to-face meetings on March 21, 2017, and some meetings discussed this topic. It was also included on a “[leave-behind](http://www.americansforthearts.org/sites/default/files/2017%20leave%20behind.pdf)” that each congressional office received.
5. *Agency Action*: The FTA published [FAQs](https://www.transit.dot.gov/funding/grants/grant-programs/art-and-non-functional-landscaping-federally-funded-public-transit) in December 2016, including answers to how they define incremental costs. Americans for the Arts was able to share feedback in advance of this release. The FAQs also provide examples of project costs that would be allowed, and those that would not be allowed. In sum, the document heavily emphasizes incorporating “good design,” including for projects to take into account “light, shape, color, materials, the use of space, and the historic setting to achieve a functional and welcoming public transit facility.” These uses would remain federally eligible for federal funds. The FAQ remains available at this public link: <https://www.transit.dot.gov/funding/grants/grant-programs/art-and-non-functional-landscaping-federally-funded-public-transit>
6. On May 23, 2017, as part of his Fiscal Year 2018 budget request, President Trump provided a [6-page document](https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/budget/fy2018/fact_sheets/2018%20Budget%20Fact%20Sheet_Infrastructure%20Initiative1.pdf) describing his $1 trillion public-private infrastructure plan, which does include a mention of “enhanced transit services.”
   1. To date, President Trump’s budget proposal has largely been sidelined in Congress; however, it remains a blueprint for consideration.
   2. The substantial investment called for, however, does provide a potential window for Congress to consider another funding bill prior to the current expiration of the FAST Act. Should this legislative action occur, it could provide an opportunity to reverse the current funding restriction on arts in transit.

**Questions:**

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