

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee**

September 9, 2022

Agenda Item 4c

Washington D.C. Legislative Update

Subject:

September 2022 Report from Washington, D.C. advocates.

Issues:

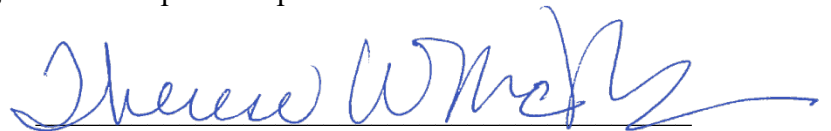
None identified.

Recommendations:

Information

Attachments:

- Attachment A: Summit Strategies Team Report – September 2022



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Summit Strategies Team Report – September 2022

From: Summit Strategies Team

To: Therese McMillan, Executive Director

Date: September 2, 2022

Subject: September Federal Policy Monthly Report

- **Democrats Advance Reconciliation Bill After Lengthy Negotiation Process**
 - **House Passes and Senate Releases Fiscal Year 2023 (FY23) Appropriations Bills**
 - **United States Department of Transportation (USDOT) Competitive Grants Update**
 - **Other Agency Actions and Competitive Grant Update**
 - **National Transportation News Roundup**
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Below is a status update on issues of interest to MTC and the actions that we have taken to date.

Democrats Advance Reconciliation Bill After Lengthy Negotiation Process

Last month, after more than a year of back-and-forth negotiations, Senate Majority Leader Schumer (D-NY) and moderate Joe Manchin (D-WV) reached an agreement on a partisan budget reconciliation package. After passage in the Senate, the House advanced the legislation, which President Joe Biden promptly signed into law. The bill raises nearly \$740 billion in new revenues and invests approximately \$430 billion in clean energy and health care spending over the next decade.

House Passes and Senate Releases Fiscal Year (FY) 23 Appropriations Bills

Last month, the House passed a six-bill FY 23 appropriations minibuss on a nearly party-line vote of 220-to-207. The package included funding for Transportation, Housing and Urban Development, and Related Agencies (THUD), elevating topline funding by more than twelve percent compared to FY 22. Specifically, the legislation included:

- Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) formula program funding at levels authorized in the Bipartisan Infrastructure Law (BIL)
- \$3 billion for Capital Investment Grants, including \$600 million to augment projects with existing full funding grant agreements but need additional federal support.
- More than \$1 billion to augment FHWA BIL grants, including:
 - \$775 million for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants
 - \$255 million for the BIL Safe Streets and Roads for All, Active Transportation Infrastructure Investment, and Healthy Streets programs.
 - \$100 million for a new Thriving Communities Initiative
- Nearly \$400 million to augment FTA BIL grants, including:
 - \$200 million for Bus and Bus Facilities competitive grants
 - \$75 million for Low- and No-Emissions Bus Grants
 - \$50 million for Integrated Smart Mobility Grants
 - \$20 million to augment the FTA ferry program and \$30 million for rural ferry grants

- \$3.8 billion for the Federal Railroad Administration, an increase of \$501 million above FY 22, including:
 - \$555 million for the Federal-State Partnership for Intercity Passenger Rail grant program
 - \$630 million for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant program
- Over 2,000 projects funded through Community Project Funding (CPF), also known as earmarks. Roughly \$1.5 billion in CPF was allocated to transportation projects, with \$1 billion directed to highway projects, \$267 million for transit, and \$173 million for airports.

THUD funding included \$62.7 billion for the Department of Housing and Urban Development (HUD), including:

- \$31 billion for Tenant-Based Rental Assistance
- \$14.9 billion for Project-Based Rental Assistance
- \$11.8 billion for Community and Development
- \$8.7 billion for the Public Housing Fund
- \$3.3 billion for Community Development Block Grants (CDBG)

The bill also promotes the use of regional councils and councils of government to serve as lead applicants for funding and grantees to encourage and expand greater regional collaboration.

Additionally, the Senate Appropriations Committee released its 12 annual spending bills, which included selected CPF requests. The Senate THUD bill included the following relevant provisions:

- FHWA and FTA formula program funding at BIL-authorized levels
- \$2.5 billion for Capital Investment Grants
- \$527.1 million for Transit Infrastructure Grants

- \$3.63 billion for the Federal Railroad Administration, including:
 - \$535 for CRISI program
- \$1.1 billion for the multi-modal RAISE grant program
- \$30 billion for Tenant-Based Rental Assistance
- \$14.7 billion for Project-Based Rental Assistance
- \$4.8 billion for CDBG

Additionally, a new \$200 million "Yes In My Backyard Incentive Grant Program" was created to support communities that remove barriers to affordable housing production and incentivize others to do so in order to lower housing costs and ensure families have an affordable place to live, particularly in high-opportunity neighborhoods. Regional jurisdictions, as well as state and local, that have made progress in improving exclusionary zoning practices, land use policies, and housing infrastructure that ultimately increase the supply of affordable housing are eligible for this funding.

Congress is extremely unlikely to finalize FY 23 spending bills before September 30, 2022, the end of FY 22. Thus, lawmakers will likely enact a short-term stopgap measure, a continuing resolution (CR), to avert a government shutdown until after the midterm elections in November. The Chairs and Ranking Members of the House and Senate Appropriations Committees, known as the "Four Corners," have yet to reach an agreement on topline spending totals, the first step toward a FY23 final package.

United States Department of Transportation (USDOT) Competitive Grants Update

Over the past two months, USDOT has announced awards for several competitive grant programs, including grants that secured funding via BIL:

- \$2.2 billion in FY 22 RAISE Program grants, funding 166 projects across the country. San Francisco Municipal Transportation Agency received the Bay Area's only FY 22 RAISE grant award: \$23 million for Howard Street complete streets/Vision Zero improvements. A full list [awarded projects can be found through this link](#).

- \$1.6 billion in grants for transit agencies to invest in bus fleet electrification through the FY 22 Buses and Bus Facilities and Low- and No-Emission Vehicle Programs. Four Bay Area projects received \$43 million to support the transition to zero-emission bus fleets at Santa Clara Valley Transportation Authority, Napa Valley Transportation Authority, Union City, and the City of Fairfield. This Bay Area focus on seeking funds for zero-emission transition was consistent with MTC's BIL grant strategy. (A full list [awarded projects can be found through this link](#))
- \$49.2 million in FY 21 innovative technology grants to improve mobility and multimodal connections through the Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) and Enhancing Mobility Innovation (EMI) Programs, including \$500,000 for MTC to support Regional Demand Responsive Transit Brokerage Service. The City of Richmond also received a \$250,000 award for "Unify Richmond Moves." A full list of [awarded projects can be found through this link](#).

Since our last monthly report (July 2022), DOT has also announced the following funding opportunities:

- \$1.4 billion in FY 22 CRISI grant funds ([additional information can be found through this link](#)).
- \$573 million for the FY 22 Railroad Crossing Elimination Program to help communities improve safety and eliminate lengthy delays at railroad crossings ([additional information can be found through this link](#))
- \$343 million to improve accessibility for transit riders through the newly created FY 22 All Stations Accessibility Program (ASAP) ([additional information can be found through this link](#))
- \$195 million for Reconnecting Communities planning and capital construction grants ([additional information can be found through this link](#)).
- \$6 million to improve access to affordable transportation, especially in areas that currently lack efficient and convenient transit options through Mobility, Access and Transportation Insecurity: Creating Links to Opportunity Program ([additional information can be found through this link](#))

Other Agency Actions and Competitive Grant Update

Federal Highway Administration (FHWA) Announces Greenhouse Gas Reduction Performance Measure Rulemaking

On Thursday, July 7, 2022, FHWA announced a Notice of Proposed Rulemaking (NPRM) for states and municipalities to track and reduce greenhouse gas (GHG) emissions. The proposed rule would:

- Establish a national framework for tracking state-by-state progress by adding a new GHG performance management measure to the existing FHWA national performance measures to help states track performance and make more informed investment decisions.
- Create a flexible system under which State DOTs and MPOs would set their own declining targets for on-road greenhouse gas emissions from roadway travel on the National Highway System.

[Additional information on FHWA's initiatives can be found through this link.](#)

DOT Thriving Communities Initiative

DOT issued a Request for Information (RFI) to receive input from stakeholders about the Thriving Communities Initiative, which will launch this fall. The program will provide technical assistance and hands-on planning support for transformative infrastructure projects that serve disadvantaged communities. [Additional information on the RFI can be found through this link.](#)

DOT and HUD Justice40 Programs Announced

DOT and HUD have announced which programs administered by their respective agencies are covered by President Biden's Justice40 Initiative. President Biden created the Justice40 Initiative to deliver 40% of the overall benefits of federal investments in climate, clean energy, affordable and sustainable housing, clean water, and more to disadvantaged communities that are marginalized, underserved, and overburdened by pollution. DOT has 39 Justice40 programs across five of its operating administrations, including FTA and FHWA and FRA. [Additional information on DOT covered programs can be found here.](#) [A full list of HUD's 24 covered programs can be found here.](#)

FHWA Announces Alternative Fuel Corridor Designations in Every State

On Wednesday, July 6th, DOT's Federal Highway Administration (FHWA) announced the latest round of Alternative Fuel Corridor designations. Under the new National Electric Vehicle Infrastructure (NEVI) Formula Program established by the BIL, funding is directed to designated EV Alternative Fuel Corridors to serve as the backbone for the national electric vehicle charging network. [The full list of designations can be found here.](#)

HUD Announces 100 Community Joining House America Initiative

On Thursday, July 7th, HUD announced Santa Clara County, California, as the 100th community to join the Administration's House America initiative to tackle homelessness by leveraging American Rescue Plan (ARP) and other federal resources through a Housing First approach. She also discussed House America's progress on the national level and the Biden-Harris Administration's efforts to make housing more affordable, fueled by investments from the ARP. [Additional information about the initiative can be found through this link.](#)

National Transportation News Roundup (links to articles)

- [With a Big Surge in Transportation Funding, a State Decides Its Spending Priorities. \(Route Fifty\)](#)
- [Public transit for nine bucks a month? Germany tried it. \(Vox\)](#)
- [California moves toward banning new cars running only on gas by 2035. \(Washington Post\)](#)
- [For 2-Wheel Commuters in LA, 'Bikepooling' Brings Safety in Numbers. \(Bloomberg CityLab\)](#)
- [Can Uber-like Public Transit Replace Old-fashioned Buses? \(Route Fifty\)](#)
- ['Boot camps' open to help small cities compete for infrastructure grants. \(Smart Cities Dive\)](#)