

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

**May 13, 2022**

**Agenda Item 4a**

**Washington D.C. Legislative Update**

---

**Subject:**

May 2022 Report from Washington, D.C. advocate.

**Issues:**

None identified.

**Recommendations:**

Information

**Attachments:**

- Attachment A: Summit Strategies Team Report – May 2022



---

Therese W. McMillan



**SUMMIT  
STRATEGIES**

440 1st Street, NW, Suite 440  
Washington, DC 20001  
(202) 638-3307 main  
(202) 595-9192 fax  
[www.summitstrategies.us](http://www.summitstrategies.us)

---

**Summit Strategies Team Report – May 2022**

---

**From: Summit Strategies Team**

**To: Therese McMillan, Executive Director**

**Date: May 4, 2022**

**Subject: May Federal Policy Monthly Report**

---

- **Lawmakers Kick Off Fiscal Year 2023 (FY23) Appropriations**
  - **Reconciliation Negotiations Continue Behind the Scenes**
  - **Upcoming Washington Fly In**
  - **Department of Transportation (DOT) and Department of Housing and Urban Development (HUD) Agency Actions and Competitive Grant Update**
  - **National Transportation News Roundup**
- 

Below is a status update on issues of interest to MTC and the actions that we have taken to date.

---

### **Lawmakers Kick Off FY23 Appropriations**

The FY23 appropriations process began last month, with the Senate and House appropriations committees holding hearings to consider agency funding levels requested in the President's budget. The Senate Transportation, Housing and Urban Development, and Related Agencies (THUD) Subcommittee hosted Transportation Secretary Pete Buttigieg to discuss DOT budgetary resources. Such hearings are typically the first stage in the annual appropriations process. Appropriators will spend the next few months drafting subcommittee bills.

Senate Appropriations Chair Patrick Leahy (D-VT) and Vice Chair Richard Shelby (R-AL), as well as their counterparts in the House, Rosa DeLauro (D-CT) and Kay Granger (R-TX), met this week to discuss topline figures for FY23. Without a budget spending cap in place for FY23, progress is unlikely. Agreement amongst these lawmakers, also known as the "four corners," is the first step toward a broad agreement to fund the government next year. Reports indicate the lead appropriators hope to reach an agreement in the coming weeks.

Earlier this month, members of Congress accepted community project funding (CPF) requests — also known as earmarks — from their constituents to be included in the FY23 appropriations bills. The relevant subcommittees will consider the projects selected by lawmakers and include a subset of those projects in their FY23 spending measures.

### **Reconciliation Negotiations Continue Behind the Scenes**

The White House has continued to work with Senator Joe Manchin (D-WV) to negotiate a more targeted reconciliation measure. These discussions have focused on deficit reduction through taxes on corporations and high-income individuals and clean energy investments. While negotiations remain ongoing, Manchin told the press that he is interested in crafting a deal that can secure support from at least ten Republicans. He plans to meet with a bipartisan group of senators to gauge interest in a climate and energy package. Potential provisions include clean energy investments, oil and gas leasing reforms on federal lands, and other policies to promote domestic energy production.

Given the most recent developments with Manchin, it is unclear if an agreement is possible in the coming months. President Biden and his allies in Congress will continue pressing for a reconciliation bill, but Manchin holds de facto veto authority.

### **Upcoming Washington Fly In**

Your federal affairs team is working hard to prepare for the upcoming June fly-in. We look forward to hosting Metropolitan Transportation Commission (MTC) members in Washington, D.C., including folks we have met only over Zoom. Currently, we are working to set up meetings with key members of Congress, committee staffers, agency personnel, and relevant advocacy groups.

### **DOT and HUD Agency Actions and Competitive Grant Update**

#### **Federal Transit Administration (FTA) Announces Funding to Build Resilience During Natural Disasters Via Transit Buses to Generate Power**

On Thursday, April 12th, FTA announced the availability of \$1 million through a Notice of Funding Opportunity (NOFO) for an organization or partnership to develop standards for exportable power systems from electric and fuel cell-powered buses, which can supply electricity to community buildings, emergency shelters and hospitals during power disruptions. The Bus Exportable Power Systems (BEPS) Program is one of the first steps in an initiative to build community resilience through transit. Previous FTA-supported research showed success in transforming hybrid, electric and fuel cell buses into mobile power generators. Applications are due June 13th. [The NOFO can be found through this link.](#)

#### **FHWA Outlines Actions to Tackle Climate Change with New Programs and Historic Funding**

On Friday, April 22nd, FHWA highlighted actions the agency is taking to protect the environment and combat climate change as part of a suite of announcements to celebrate Earth Day 2022. These include:

- FHWA kicked off the week by announcing the Carbon Reduction Program that will provide \$6.4 billion in formula funding to states over the next five years through the Bipartisan Infrastructure Law (BIL).

- In addition, this week, as part of a department-wide effort to challenge transportation agencies and others to find innovative ways to reduce transportation sector greenhouse gas emissions, FHWA launched its own highway-specific “climate challenge” on Quantifying Emissions of Sustainable Pavements. This challenge presents a unique opportunity to improve the sustainability of pavement structures and work towards goals for net-zero emissions.
- In partnership with the FTA, a joint Flex Funding Website launched this week to help states utilize flex funding and to increase access to transit in order to encourage public transportation projects that reduce single-occupancy vehicle travel and associated air pollution on congested highways.

Over the past year DOT has taken a number of steps to work towards President Biden’s goals of building out a nationwide network of EV chargers and making sure that 50% of new cars sold by 2030 are electric.

- In April 2021, FHWA issued guidance to states clarifying that activities including solar panels and EV charging can be acceptable uses in the right-of-way.
- In December 2021, DOT joined the Department of Energy (DOE) in December in signing a memorandum of understanding to create a Joint Office of Energy and Transportation to support the deployment of a national electric vehicle charging network.
- In February of this year, DOT issued the Rural EV Toolkit to help rural communities build out electric vehicle charging infrastructure.
- Also in February of this year, President Biden, DOT and DOE announced the availability of \$5 billion over five years to help states build out a national EV charging network, with funding from the BIL.

### **HUD Releases Inaugural Equity Action Plan**

On Thursday, April 14th, HUD announced the release of its first ever Equity Action Plan in coordination with the Biden-Harris Administration’s whole-of-government equity agenda. On his first day in office, President Biden signed Executive Order 13985 on “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,” directing the

federal government to pursue a comprehensive approach to advancing equity for all. In response to the President's directive, HUD commenced a department-wide plan, which included actions to reduce the racial homeownership gap and center equity in the delivery of services to people experiencing homelessness. HUD's Equity Action Plan is one of many steps HUD has taken to reiterate its commitment to advancing equity for all communities across the nation. The Equity Action plan, completed in collaboration with the White House, provided an opportunity to dive into a handful of areas that contributed to the agency's work on the strategic plan, which has equity as an underlining principle. [The Equity Action Plan can be found through this link.](#)

**National Transportation News Roundup (links to articles)**

- [Making the Case for State Infrastructure Czars \(Route Fifty\)](#)
- [As cities redesign bus networks, planners stress community engagement \(Smart Cities Dive\)](#)
- [Why 'Vision Zero' Hit a Wall \(Bloomberg City Lab\)](#)
- [Will the \\$6 billion pledge to make transportation more sustainable be enough? Experts weigh in. \(ABC News\)](#)
- [Pete Buttigieg Touts Infrastructure Funding During Budget Hearing \(Transport Topics\)](#)
- [Biden is Doubling Down on a Push to Roll Back Single-Family Zoning Laws \(Route Fifty\)](#)