

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

May 12, 2023

Handout - Agenda Item 2c

Washington DC Legislative Update

Subject:

April 2023 Report from Washington, DC advocate.

Issues:

None identified.

Recommendations:

Information

Attachments:

- Attachment A: Summit Strategies Team Report – April 2023



Andrew B. Fremier



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Summit Strategies Team Report – April 2023

From: Summit Strategies Team

To: Andrew B. Fremier, Executive Director

Date: May 3, 2023

Subject: April Federal Policy Monthly Report

- **McCarthy Passes Debt Limit Bill**
 - **MTC DC Advocacy Trip Follow Up**
 - **Government Accountability Office Publishes Study on Capital Investment Grants**
 - **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.

McCarthy Passes Debt Limit Bill

Speaker of the House Kevin McCarthy (R-CA) passed his debt limit bill, titled the “Limit, Save, Grow Act,” on a vote of 217-215. The bill would cap discretionary spending at fiscal year (FY) 2022 levels, representing a 10 percent cut from FY 2023 enacted levels. Once capped, discretionary spending would only be able to increase by 1 percent a year until 2033. The bill would also claw back unobligated funding from Covid-19 relief bills, including \$3.5 billion for Transit Infrastructure Grants and \$2.4 billion for Highway Infrastructure Grants. Other measures in the bill include blocking President Biden’s forthcoming program to cancel student debt, repealing most of the \$80 billion in funding provided to the Internal Revenue Service in the Inflation Reduction Act (IRA), introducing new work requirements for social programs, and repealing green energy tax credits from the IRA. The green energy tax credits include tax incentives for renewable fuels and clean vehicle tax credits. The debt bill would also suspend the debt limit until March 2024 or until \$1.5 trillion in additional debt has been added. Though the measure passed the House of Representatives, it has no chance of passing the Democrat-controlled Senate.

MTC March Advocacy Trip Follow Up

In April, the DC advocacy team focused on completing the follow-up items from the March fly-in. Items include following up with the Environmental Protection Agency (EPA) about reducing carbon emissions. Over the next several weeks and months, the EPA will be making available several pots of funding to address the impacts of climate change, promote carbon reduction, and proliferate clean and electric vehicles. Following your meeting with EPA, our team has been working with EPA staff to identify ways the funding could be used to advance numerous regional projects, including clean buses, electric charging stations, and increasing transit ridership. We have been working with EPA and advocating for allowing regional submissions to streamline the grant process and secure as much funding for the region as possible.

We also followed up with the individual member offices, committee staff, and the agency staff we met with during your DC trip and provided additional information and briefings, as requested. For example, at our member meeting, Representative Mark DeSaulnier (D-CA) expressed a deep interest in working with MTC on housing and transportation issues. Following

our meeting, our team met with his staff to provide an update on MTC's work at the intersection of transportation and housing and discuss ways the Congressman can support MTC's efforts in Washington, DC.

Government Accountability Office Publishes Study on Capital Investment Grants

The Federal Transit Administration's (FTA) Capital Investment Grant (CIG) program provides state and local governments funding to develop transit projects. When grant applicants apply to the CIG program, FTA uses predictions about capital cost and ridership to decide which projects to fund. According to a recent Government Accountability Office (GAO) study, the FTA has shown marked improvement in its predictions over the last few decades. In 2020, 86 percent of FTA's predicted capital costs were within 10 percent of the actual capital cost of projects compared to 1990, when none of FTA's capital cost predictions were within 10 percent of the actual cost. FTA's ridership predictions have similarly improved over time – in 2020, FTA predicted ridership within 20 percent of actual ridership 48 percent of the time, up from zero in 1990 – though ridership predictions are still far from accurate. The report recognizes that the recovery from COVID-19 will complicate ridership and capital cost predictions. However, GAO found that the FTA continually works on new ways to improve its prediction accuracy.

Agency Actions and Competitive Grant Update

US Department of Transportation Grant Notices

In April, the US Department of Transportation (USDOT) released Notices of Funding Opportunity (NOFOs) for several Bipartisan Infrastructure Law grants. They include:

- Safe Streets and Roads for All (SS4A) (\$1.2 billion): Cities, towns, counties, Tribal governments, and Metropolitan Planning Organizations (MPO) can apply for funds to improve sidewalks, create crosswalks, redesign intersections, and more. Applications are due July 10. [More information on the announcement can be found here.](#)
- PROTECT Discretionary Grants (\$850 million): USDOT has made available funds for the first round of the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Discretionary Grant Program. The funding will go to projects that aim to reduce damage to the transportation system that will be caused by climate change, extreme weather events, and natural

disasters. Applications are due August 18, 2023. [More information on the announcement can be found here.](#)

- Wildlife Crossings Pilot Program (\$110 million): Funding to help states and localities construct wildlife crossings, warning signs, and maps across busy roads. This first round of grants will fund research, planning, design, and construction. Applications are due August 1. [More information on the announcement can be found here.](#)

Federal Funding for Transit Workforce Development

On April 5, the US Department of Labor (DOL) announced \$80 million in funding through the Building Pathways to Infrastructure Jobs Grant Program. The program supports training programs in manufacturing, information technology, transportation, and other sectors. Transit agencies are encouraged to apply for funding to train transit maintenance workers and mechanics. This announcement represents the first round of funding. DOL intends to make \$200 million available for this program, with grants ranging from \$500,000 to \$5 million. Applicants must choose one of two tracks for this grant program: the development track or the scaling track. The development track establishes local and regional partnerships that will implement new sector-based training programs across infrastructure-related sectors. The scaling track expands on existing local or regional training partnership models. Applications are due July 7. [More information on the announcement can be found here.](#)

FTA Announces Proposed Rulemaking to Improve Safety

On April 26, FTA announced a Notice of Proposed Rulemaking (NPRM) to update and revise Public Transportation Agency Safety Plans. Most proposed changes would apply only to transit agencies operating in large urbanized areas (urbanized areas with populations over 200,000). Changes include: new requirements for de-escalation training for transit staff; clarification on how to incorporate guidelines from the Centers for Disease Control or state health authority regarding exposure to diseases; new requirements on how section 5307 funds should be allocated if specific safety requirements are not met; creation of risk reduction programs; the establishment of safety committees; and changing the definition of “transit workers” to include employees, contractors, and volunteers. Transit operators in small urbanized areas (urbanized areas with

populations between 50,000 and 200,000) would newly be required to develop agency safety plans in coordination with frontline transit representatives.

Comments are due 60 days after the posting of the announcement. [More information on the NPRM can be found here.](#)

National Transportation News Roundup (links to articles)

- [Mass transit systems in American cities face post-pandemic fiscal cliff \(Yahoo\)](#)
- [It Will Take More Than Electric Buses to Attract Riders \(Government Technology\)](#)
- [House Lawmakers Highlight Infrastructure in Budget Talks \(Transport Topics\)](#)
- [New Evidence Links Transit Cuts with Poverty and Unemployment \(Governing\)](#)
- [How Bay Area public transit is at risk amid battle for state funding \(Yahoo\)](#)