

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

April 9, 2021

Agenda Item 4b

Washington D.C. Legislative Update

Subject: March 2021 Report from Washington, D.C. advocate.

Recommendation: Information

Attachments: **Attachment A:** Summit Strategies Team Report – March 2021


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Memorandum

From: Summit Strategies Team
To: Therese McMillan, MTC Executive Director
Date: April 2, 2021
Subject: Federal Policy Monthly Report

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- Overview
 - Transportation and Infrastructure Committee Gears up for Fixing America's Surface Transportation Act (FAST Act) Reauthorization
 - Environment and Public Works Committee (EPW) Begins Crafting Transportation Legislation
 - Appropriations Update
 - Secretary Buttigieg Testifies to Transportation and Infrastructure (T&I) Committee
 - Competitive Grant Update
 - U.S. Department of Transportation (DOT) Releases a Fact Sheet Detailing the American Rescue Plan's Benefits for Transportation
 - U.S. Department of Housing and Urban Development (HUD) Releases the 2020 Annual Homelessness Assessment Report
 - U.S. Department of Transportation (DOT) Launches the "Mask Up" Campaign
 - U.S. Department of Transportation's Federal Transit Administration (FTA) Announces American Rescue Plan Act Funds for Public Transportation Systems
 - National Transportation News Roundup
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Below is a status update on issues of interest to MTC, and actions we have taken.

Transportation and Infrastructure Committee Gears up for Fixing America's Surface Transportation Act (FAST Act) Reauthorization

Chairman Peter DeFazio (D-OR) and the Transportation and Infrastructure (T&I) Committee are preparing for FAST Act reauthorization in the coming months. The FAST Act expired last fall, but lawmakers enacted a one-year, clean extension that expires at the end of the fiscal year. The Committee will use the surface transportation title, H.R. 7095, the Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act (<https://www.congress.gov/bill/116th-congress/house-bill/7095>), included in H.R. 2, the Moving Forward Act (<https://www.congress.gov/bill/116th-congress/house-bill/2164>), as a basis for the new legislation. The House-passed measure included significant investments for climate, transit, and traditional infrastructure. While the new bill will likely feature many similar elements, it will contain additional provisions reflecting Democratic transportation policy priorities. Your team has been in regular contact with the committee staff regarding MTC's priorities.

Last month, Chairman DeFazio announced that House members could submit requests for highway and transit project designations to the T&I Committee. The Committee will hold a member hearing day on Thursday, April 14, which informs individual members' deadlines. Most offices have set their internal deadline for such earmarks for next week. Member submissions will be accepted starting on April 1 until Friday, April 23, 2021 (https://transportation.house.gov/imo/media/doc/2021-03-23%20Follow%20Up%20Dear%20Colleague_Member%20Designated%20Projects.pdf). They plan on marking up the legislation next month, likely the week of May 24, 2021.

Environment and Public Works Committee (EPW) Begins Crafting Transportation Legislation

The Senate EPW has begun crafting their portion of the upper chamber counterpart to the House bill. From conversations your team has had with committee staff, they plan on building on the American Transportation Infrastructure Act, the legislation passed out of committee last Congress, although new chair and ranking member, Tom Carper and Shelly Moore Capito, do plan on putting their own stamp on this year's effort. The Senate Banking Committee and the Commerce Committee, which handle transit and rail policy respectively, are beginning to work on their bills as well. They are not as far along in the process as EPW and it's not yet clear when they will be releasing their portions. Any measure that advances through regular order will require bipartisanship.

At the EPW hearing on the Build Back Better agenda (<https://www.epw.senate.gov/public/index.cfm/hearings?ID=A076F488-6A1E-41DB-9279-7C943023D8D9>), lawmakers and stakeholders from across the political spectrum enthusiastically endorsed substantial federal infrastructure investment. In 2019, the EPW Committee advanced a \$287 billion surface transportation bill (https://www.epw.senate.gov/public/_cache/files/2/f/2f412342-ca2b-440f-8053-a3c25c303db3/F0CE190B720489058518305C1D359AC4.america-s-transportation-infrastructure-act-edw19827-.pdf) — which included a climate title — with bipartisan support. However, none of the other committees of jurisdiction produced any reauthorization proposals.

The hearing illustrated the most challenging aspect of enacting a transformative infrastructure bill: how to pay for it. Lawmakers have often struggled to identify revenue streams to cover shortfalls in the Highway Trust Fund, which Senator Shelley Moore Capito addressed during the hearing. She warned her colleagues against “partisan or lightning-rod pay-fors that could sink a bill.” She also noted that the Finance Committee would handle financing.

Appropriations Update

President Biden plans on submitting a "skinny" budget request to Congress later this week. The preview of the White House fiscal year 2022 budget will provide direction to lawmakers as they begin the appropriations process. Biden will likely request increased spending levels for domestic agencies, continuing his pro-investment agenda. For the first time since 2012, discretionary spending is no longer constrained by statutory caps, creating further freedom to increase federal investment. While it is unlikely that the White House releases a final budget for a month or so, the abridged version will provide valuable insight into Biden administration priorities.

The reintroduction of earmarks has added to an already busy congressional agenda this spring. The House Appropriations Committee recently announced (<https://appropriations.house.gov/appropriations-requests>) that Subcommittee deadlines are postponed by two weeks, ranging from April 28 to April 30, 2021. Earmarks offer additional opportunities for communities to benefit from increased spending.

Secretary Buttigieg Testifies to Transportation and Infrastructure (T&I) Committee

On Thursday, March 25, 2021, Transportation Secretary Pete Buttigieg testified to the T&I Committee regarding Biden administration infrastructure priorities. He displayed in-depth knowledge of a wide range of transportation-related policy areas, garnering praise from across the aisle. Democrats and Republicans expressed their support for a bipartisan measure, in line with President Biden. However, Democrats favored significantly more expansive measures than their colleagues. Secretary Buttigieg and Democrats on the Committee highlighted the importance of addressing climate change, racial and class-based inequities, supporting transit, and promoting active transportation.

Competitive Grants Update

U.S. Department of Transportation (DOT) Releases a Fact Sheet Detailing the American Rescue Plan's Benefits for Transportation

On Wednesday, March 17, 2021, the DOT issued a press release outlining the transportation-related elements of the American Rescue Plan Act of 2021 (ARP). It highlights the transit, aviation, and Amtrak provisions of the landmark legislation. The full fact sheet can be found by clicking the following link <https://www.transportation.gov/briefing-room/fact-sheet-us-department-transportation-details-american-rescue-plans-benefits>

U.S. Department of Housing and Urban Development (HUD) Releases the 2020 Annual Homelessness Assessment Report

On Thursday, March 18, 2021, HUD released its 2020 Annual Homeless Assessment Report Part 1 to Congress (<https://www.huduser.gov/portal/datasets/ahar/2020-ahar-part-1-pit-estimates-of-homelessness-in-the-us.html>) . The report concluded that 580,466 people experienced homelessness in America on a given night, a 2.2 percent increase from 2019. The full press release can be found by clicking the following link https://www.hud.gov/press/press_releases_media_advisories/hud_no_21_041

U.S. Department of Transportation (DOT) Launches the “Mask Up” Campaign

On Friday, March 19, 2021 the DOT a press release announcing the launch of the “Mask Up” campaign. The campaign is a joint initiative by the Federal Aviation, Motor Carrier Safety, Railroad, and Transit Administrations to promote public health on all forms of transportation. The full press release can be found by clicking the following link here <https://www.transportation.gov/briefing-room/us-department-transportation-launches-mask-campaign> .

U.S. Department of Transportation’s Federal Transit Administration (FTA) Announces American Rescue Plan Act Funds for Public Transportation Systems

On Monday, March 29, 2021, the FTA announced the availability of \$30.5 billion in COVID relief funding for transit providers. The funds include the following allocation: \$26.6 billion by statutory formulas to urban and rural areas, tribal governments, and for the enhanced mobility of seniors and individuals with disabilities, and \$2.2 billion to FTA grant recipients in communities that demonstrate additional pandemic-associated needs. Funds will be made available at 100-percent federal share and primarily directed to operations and payroll. An additional \$1.7 billion is provided for projects in the Capital Investment Grants (CIG) Program and another \$25 million for competitive planning grants. The full press release can be found by clicking this link <https://www.transit.dot.gov/about/news/us-transportation-secretary-pete-buttigieg-announces-305-billion-help-nations-public> , and a webinar scheduled for April 2, 2021 can be found by clicking the following link <https://www.transit.dot.gov/funding/american-rescue-plan-act-2021>.

National Transportation News Roundup

- Biden Starts Infrastructure Bet With U.S. Far Behind China.
<https://www.bloomberg.com/news/articles/2021-03-22/biden-starts-big-infrastructure-bet-with-u-s-far-behind-china>
- No place is safe from failing US infrastructure. [TechCrunch X](https://techcrunch.com/2021/02/22/no-place-is-safe-from-failing-u-s-infrastructure/#:~:text=But%20the%20ongoing%20disaster%20in,or%20take%20climate%20change%20seriously.&text=And%20the%20shocks%20that%20result,to%20leave%20the%20country%20entirely)
<https://techcrunch.com/2021/02/22/no-place-is-safe-from-failing-u-s-infrastructure/#:~:text=But%20the%20ongoing%20disaster%20in,or%20take%20climate%20change%20seriously.&text=And%20the%20shocks%20that%20result,to%20leave%20the%20country%20entirely>

- Covid revives congestion pricing plans.
<https://www.politico.com/newsletters/weekly-transportation/2021/03/22/covid-revives-congestion-pricing-plans-794129>
- Biden Transportation Officials Signal How They Might Enforce Racial Justice Concerns.
<https://www.bloomberg.com/news/articles/2021-03-25/why-federal-officials-intervened-in-a-highway-expansion?srnd=citylab-transportation>
- Riders Are Abandoning Buses and Trains. That's a Problem for Climate Change.
<https://www.nytimes.com/2021/03/25/climate/buses-trains-ridership-climate-change.html>
- US infrastructure funding gap swells to \$2.6 trillion: ASCE.
<https://www.smartcitiesdive.com/news/us-infrastructure-asce-report-card-2021/596090/>
- Proceed With Caution Regarding Transportation Earmarks, Stakeholders Say.
<https://www.ttnews.com/articles/proceed-caution-regarding-transportation-earmarks-stakeholders-say>
- Elaine Chao Used DOT Resources For Personal Errands, Family Business, IG Report Says.
<https://www.npr.org/2021/03/04/973564687/elaine-chao-used-dot-resources-for-personal-errands-family-business-inspector-sa>
- How federal infrastructure investment can put America to work.
<https://www.brookings.edu/research/how-federal-infrastructure-investment-can-put-america-to-work/>