

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

June 11, 2021

Agenda Item 4c

Washington D.C. Legislative Update

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

Recommendation: Information

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


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Memorandum

From: Summit Strategies Team
To: Therese McMillan, Executive Director
Date: June 8, 2021
Subject: Federal Policy Monthly Report

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- **Overview**
 - **Senate Environment and Public Works Committee Marks Up Its Portion of FAST Act Reauthorization**
 - **House Transportation and Infrastructure Committee Sets June 9 Markup**
 - **White House Led Infrastructure Negotiations**
 - **Presidential Budget and Appropriations**
 - **Competitive Grant Update**
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Below is a status update on issues of interest to MTC, and actions we have taken.

Senate Environment and Public Works Committee Marks Up Its Portion of FAST Act Reauthorization

Environmental and Public Works (EPW) Committee Chairman Tom Carper (D-DE) and Ranking Member Sen. Shelley Moore Capito (R-WV) introduced bipartisan legislation to provide new funding for surface transportation last Saturday. The Surface Transportation Reauthorization Act establishes a baseline funding of \$303.5 billion for programs to support highways, roads, and bridges. The newly introduced bill represents a 34 percent increase in highway spending from existing FAST Act levels.

The legislation includes the following provisions:

- \$500 million grant program to install electric vehicle charging stations
- \$1.4 billion for a new formula and competitive grant programs aimed at creating more climate-resilient infrastructure
- \$250 million aimed to reduce truck emissions at ports.
- \$500 million to establish a Transportation Resilience and Adaptation Center of Excellence to study resilient infrastructure
- \$500 million grant program for communities to study the impact of infrastructure that has disconnected traditionally underserved communities

The markup was quick, and Committee leadership only considered one independent amendment by Senator Ed Markey (D-MA) and Senator Dan Sullivan (R-AL) that would create a grant program to build safe and connected options for bicycles and walkers. The legislation advanced through the Committee with a 20-0 vote. The current surface transportation bill expires on September 30, and the legislation represents meaningful progress considering the current state of infrastructure negotiations. In the lead-up to the Senate markup your MTC team was in constant contact with the committee staff and Senators on the committee, working to ensure MTC's interests were heard. We met with Rebecca Higgins from the committee, as well as staff for Senators Padilla, Merkley and Duckworth advocating on behalf of MTC.

House Transportation and Infrastructure Committee Sets June 9 Markup

Despite aiming to mark up its portion of surface transportation reauthorization legislation before the Memorial Day recess, the House Transportation and Infrastructure (T&I) Committee moved the markup until the week of June 7. The delay follows thousands of transportation earmark requests, cannibalizing staff time and delaying the drafting process. Like the base bill released by EPW and the 2019 Committee-backed ATIA, the coming proposal will likely mirror much of the House-passed [H.R. 2 Moving Forward Act](#), which the Committee advanced last June.

As in the Senate, your team has been in constant contact with the T&I committee staff advocating for MTC. The issues we have been lobbying on include increasing the suballocation of programmatic funds, and the Metro Mobility program. We have been talking with Congressman Huffman, Garamendi and DeSaulnier and preparing an amendment strategy for the upcoming markup if our provisions are not included in the base text. We have also been seeking out other allies to support our advocacy, such as other large metropolitan planning organizations and natural allies.

White House Led Infrastructure Negotiations

Following a month of negotiations by the White House and Senate Republicans, President Biden and his counterparts made several counteroffers over the past few weeks. The President agreed to trim the proposal from \$2.25 trillion to \$1.7 trillion, and finally, to lower it by \$1 trillion. Senate Republicans released a series of counterproposals, including a plan of just under \$1 trillion that included reprogramming a substantial amount of existing COVID-relief funding. However, Republican resistance to accepting any tax increases and higher spending levels resulted in the functional collapse of negotiations. With White House-led negotiations sputtering, the fate of transformational infrastructure lies with surface transportation reauthorization efforts on the Hill. Additionally, the Problem Solvers Caucus continues to spearhead discussions.

Presidential Budget and Appropriations

President Biden released his official fiscal year 2022 budget request on Friday, May 28, 2021. The long-delayed proposal included approximately \$6 trillion in total spending for the next fiscal year, advancing the pro-growth investment strategy adopted by the White House. Biden called for \$88 billion for the Department of Transportation, including:

- \$18.5 billion for the Federal Aviation Administration
- \$13.5 billion for Transit
 - \$2.5 billion for Capital Investment Grants
 - \$550 million for Transit Infrastructure Grants
- \$2.7 billion for Amtrak
- \$1 billion for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Program

It remains to be seen how the Presidential budget and the appropriations process will interact with the ongoing surface transportation reauthorization moving through both chambers of Congress.

Both chambers held hearings to examine the Presidential budget earlier this week. House Appropriations Chair Rosa DeLauro (D-CT) announced her intention to mark up all 12 Subcommittee bills in June. However, given a packed legislative calendar, the appropriations process may slip later into the summer. Senate appropriators have moved through the earmark process more slowly and face a more challenging timeline than their counterparts in the House. Congressional Democrats, like the Biden administration, plan to prioritize increasing domestic investments.

Competitive Grants Update

HUD Announces the Availability of Funding to Fight Housing Discrimination

On Monday, May 3, the U.S. Department of Housing and Urban Development (HUD) announced the availability of more than \$20 million to fair housing organizations across the nation working to fight housing discrimination through the Fair Housing Initiatives Program (FHIP). The categories of grants include:

- **Education and Outreach Initiative (EOI) – \$7,223,649** - EOI grants help groups develop and implement tester training and education and outreach programs.
- **Fair Housing Organizations Initiative (FHOI) – \$2,250,000** - FHOI grants provide funds to non-profit fair housing organizations to build their capacity and effectiveness to conduct enforcement related activities.
- **Private Enforcement Initiative (PEI) – \$10,755,507** - PEI grants help non-profit fair housing enforcement organizations carry out investigations and other enforcement activities to prevent or eliminate discriminatory housing practices.

Applicants can apply for funding or obtain a copy of the specific Notice of Funding Opportunity, forms, instructions, and other application materials at www.Grants.gov.

HUD Awards Funding to Mitigate Lead Contamination in Public Housing

On Tuesday, May 11, HUD announced the award of more than \$51 million to 25 Public Housing Agencies (PHAs) in 19 states. Funds support efforts to identify and reduce lead-based paint hazards in thousands of older public housing units and are provided through the Public Housing Capital Fund. A full list of awarded projects can be found [here](#).

DOT Extends Federal Mask Mandate on Transportation

On Friday, May 14, The Centers for Disease Control and Prevention (CDC), Transportation Security Administration (TSA), and the U.S. Department of Transportation (DOT) announced the continuation of mask mandates on public transportation.

HUD Awards \$36 Million to Support Public Housing and Resident Economic Stability

On Tuesday, April 6, HUD announced the award of \$36.9 million to Public Housing Authorities (PHAs), public housing resident associations, Native American tribes, and non-profit organizations through the Resident Opportunity and Self-Sufficiency (ROSS) program. ROSS Service Coordinators, hired with grant funds, remove barriers so that residents can improve their economic mobility, health outcomes, and overall quality of life. A full list of awarded projects can be found [here](#).

HUD Announces the Allocation of \$5 billion to House People Experiencing Homelessness

On Monday, May 17, HUD announced the allocation of \$5 billion in American Rescue Plan funds for emergency housing vouchers for individuals and families who are experiencing homelessness or at risk of homelessness. The supplemental funding is allocated through the Emergency Housing Voucher (EHV) program. Through EHV, HUD is providing 70,000 housing choice vouchers to local public housing authorities (PHAs) across the country to help Americans find and remain in housing. A full list of initial allocations can be found [here](#).

DOT Announces Construction Hiring and Workforce Development Pilot Programs

On Wednesday, May 19, DOT announced expanded construction hiring and workforce development pilot programs through the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). Both FHWA's and FTA's local hire initiatives will improve participation in existing training and apprenticeship programs, such as [FHWA's On-the-Job Training \(OJT\) programs](#) and FTA's innovative public transportation [Workforce Development Program](#). The organization selected to run the center will help transit agencies implement best practices to hire new employees to support advanced technology initiatives, including electric buses and high-speed rail. More information on the programs can be found [here](#) and [here](#).

HUD Reaches an Agreement with California Housing Providers

On Friday, May 21, HUD announced that it reached a Conciliation/Voluntary Compliance Agreement with Cascade Village Apartments II, LP, in Sacramento, CA, its management company, FPI Management, Inc., (FPI), and FPI's portfolio manager resolving allegations that they violated the Fair Housing Act and Title VI of the Civil Rights Act of 1964.

DOT Issues Guidance for Transit-Oriented Development Projects Seeking Loans Through the Build America Bureau

On Friday, May 21, DOT issued new guidance that clarifies the eligibility of transit-oriented development (TOD) projects for specific Department resources. The USDOT's Build America Bureau (Bureau) developed this guidance for public and private entities seeking loans for transit-oriented development projects through the Transportation Infrastructure Finance & Innovation Act (TIFIA) and Railroad Rehabilitation & Improvement Financing (RRIF) programs. The guidance can be found [here](#).

HUD Announces the Availability of Funding to Alleviate Youth Homelessness

On Monday, May 24, the U.S. Department of Housing and Urban Development (HUD) announced the availability of competitive funding available to build systems intended to end youth homelessness in local and rural communities through [HUD's Youth Homelessness Demonstration Program \(YHDP\)](#). Funding is available to up to 50 communities for the implementation of youth-specific innovative programs to address the needs of youth experiencing or at risk of homelessness. Read [HUD's Notice of Opportunity](#).

National Transportation News Roundup

- Is mass transit on the eve of an \$85 billion renaissance?
<https://www.fastcompany.com/90639382/is-mass-transit-on-the-eve-of-an-85-billion-renaissance>
- Infrastructure plan calls for fixing the nation's existing roads. Some states are still focused on expansion.
<https://www.washingtonpost.com/transportation/2021/05/23/highway-funding-infrastructure/>
- House Democrats Looking At How To Alter Tax Code To Fund Biden's Infrastructure Plan.
<https://www.npr.org/2021/05/20/998709211/house-democrats-looking-at-how-to-alter-tax-code-to-fund-bidens-infrastructure-p>
- Commuter Rail Reform Faces High Labor, Infrastructure Costs.
<https://www.governing.com/community/commuter-rail-reform-faces-high-labor-infrastructure-costs>
- 'Time to move on': Infrastructure talks near collapse.
<https://www.politico.com/news/2021/05/24/infrastructure-talks-near-collapse-490637>
- New Senate highway bill may be part of something bigger.
https://www.rollcall.com/2021/05/24/new-senate-highway-bill-may-be-part-of-something-bigger/?utm_source=morningheadlines&utm_medium=email&utm_campaign=newsletters&utm_content=05/25/2021
- Biden nominates Homendy to chair NTSB.
<https://www.progressiverailroading.com/people/news/Biden-nominates-Homendy-to-chair-NTSB--63571>
- Sidewalks, bike lanes and trails are essential transportation infrastructure.
<https://thehill.com/blogs/congress-blog/politics/555087-sidewalks-bike-lanes-and-trails-are-essential-transportation>