



## Potomac Partners DC

### Monthly Legislative Report – August 2018

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#### August Advocacy Meetings

On several occasions throughout the month we updated key congressional offices and committee staff on the progress at FTA regarding the OC Street Car's Full Funding Grant Agreement (FFGA). We specifically updated the staff that OCTA had received a draft FFGA for review and that there is good reason to be cautiously optimistic that FTA may be making an announcement soon. Those offices include:

**Congressman Mario Diaz-Balart (R-FL)**  
**Chairman Sam Graves (R-MO)**  
**House Transportation and Infrastructure Committee Staff**  
**Congressman Ed Royce (R-CA)**  
**Congressman Lou Correa (D-CA)**  
**Congressman Alan Lowenthal (D-CA)**  
**Senator Dianne Feinstein (D-CA)**  
**Senate Appropriations Committee**  
**Senate Banking Committee (Majority and Minority Staff)**

#### *Some additional meetings and topics this month include the following:*

**Congressman Mario Diaz-Balart (R-FL)** – We met with staff in Congressman Diaz-Balart's office to discuss FY19 appropriations and the timeline expected procedures for the House THUD appropriations bill in September and possibly opportunities for amendments or conference language.

**Senate Appropriations Committee** – We met with senior staff on the Senate THUD Appropriations subcommittee to discuss the FY19 appropriations process and the Interior minibus that includes the FY19 Senate THUD bill as well as a number of amendments to the THUD portion of the minibus that were under consideration.

**Senate Commerce Committee** – We met with senior staff on the Senate Commerce, Science and Transportation Committee (Majority) to discuss the FAA reauthorization. We also discussed elements the Chairman Shuster's infrastructure proposal and how the Senate will view some of the possible streamlining reforms.

**House T&I Aviation Subcommittee Majority Staff** – We followed-up with senior staff on the Committee to discuss the possibility of considering additional language during the conference committee with the Senate regarding Aviation Fuel Tax issue. We were told that formal negotiations may take more time than originally expected and it is possible that they will need to pass a short-term extension at the end of September if the Senate does not act in the first two weeks of September.

**Congressman Ken Calvert (R-CA)** – We met with staff in Congressman Calvert’s office to discuss OCTA’s FY19 appropriations priorities, any possible rescissions included in the House bill, and CIG funding levels.

**US DOT Intergovernmental Affairs** – We followed up throughout the month with senior staff at USDOT regarding progress at the FTA on the FFGA for the OC Street Car.

### **FY19 Appropriations and Budget Update**

This month the House was in recess, but the Senate remained in session with the exception of a one-week recess the week of August 13<sup>th</sup>. With the extra time, the Senate has made significant progress on the Fiscal Year 2019 (FY19) Appropriations process. Three minibus spending packages have now been passed on the Senate floor with bipartisan support. The Senate has only three Appropriations bills remaining: Commerce/Justice/Science, Homeland Security, and State and Foreign Operations.

The Energy & Water minibus (H.R. 5895) has been passed in both chambers and the differences in the two bills are now being resolved in a conference between the House and Senate. That bill could be finalized as early as the first week of September. Two issues that still remain unresolved at the time of this report include funding for Yucca Mountain, and the final funding levels for VA Health services. The next two minibus packages include the Interior and Defense-LHHSE bills. Both of those packages are a bit more complicated because the Senate Interior and Defense packages include more bills than have been approved in the House. A chart detailing the status of all twelve bills is included below:

House Passed Appropriations Bills			Senate Passed Appropriations Bills			
Energy and Water Minibus – <a href="#">H.R. 5895</a> (In Conference)						
Energy & Water	Legislative Branch	Mil-Con VA	Energy & Water	Legislative Branch	Mil-Con VA	
Interior Minibus – <a href="#">H.R. 6147</a> (Awaiting Conference)						
Interior/Environment		Financial Services	Interior/Environment	Financial Services	THUD	Agriculture
Defense/Labor-HHS-Education Minibus – <a href="#">H.R. 6157</a> (Awaiting Conference)						
Defense			Defense		Labor/HHS/Education	
<b><u>Awaiting Floor Action</u></b>						
<a href="#">H.R. 5961</a> – Agriculture			<a href="#">S. 3072</a> – Commerce/Justice/Science			
<a href="#">H.R. 5952</a> – Commerce/Justice/Science			<a href="#">S. 3109</a> – Homeland Security			
<a href="#">H.R. _____</a> – Homeland Security ( <i>DRAFT</i> )			<a href="#">S. 3108</a> – State and Foreign Operations			
<a href="#">H.R. 6385</a> – State and Foreign Operations						
<a href="#">H.R. 6072</a> – Transportation-HUD						
<a href="#">H.R. 6470</a> – Labor/HHS/Education						



Speaker Paul Ryan (R-WI) will likely decide the first week of September whether to give the House an opportunity to consider the remaining six bills on the floor or send them straight to a conference committee with the Senate where the committee-passed House bills could be included. Sources on the House Appropriations Committee believe the second more expedient option is more likely. However, this tactic could upset many fiscal conservatives who could vote against any of the final packages making it necessary to pass the final bills in House with some Democratic support.

Nevertheless, as the September 30<sup>th</sup> deadline looms both House and Senate Appropriators are also planning for the contingency that they will need to enact a Continuing Resolution (CR) to keep the federal government funded if the ongoing negotiations stall.

### **FRA PTC Progress Update**

This month the Federal Railroad Administration (FRA) made a series of announcements regarding Positive Train Control (PTC) implementation.

- On August 24<sup>th</sup> the FRA announced the disbursement of \$204 million in grant money for twenty-eight PTC implementation projects. The Southern California Regional Rail Authority was awarded \$9.94 million to improve processor power and make system and hardware upgrades. This grant money comes from the Consolidate Rail Infrastructure and Safety Improvements (CRISI) program which was funding in the FY18 omnibus in the amount of \$250 million.
- On the same day, the FRA also published the second quarter PTC data showing a 25% drop in the number of railroads at risk to not meet PTC implementation deadline. FRA Administrator Ron Batory praised the significant progress made over the past year and promised additional funding to help expedite PTC implementation.

According to House T&I Committee staff, the Subcommittee Chairman Jeff Denham (R-CA) plans to hold a PTC hearing on September 13<sup>th</sup> regarding PTC implementation progress. FRA, GAO, AAR, Amtrak, labor, and possible APTA are potential witnesses for the hearing. The T&I Committee has not yet released the hearing notice.

### **FAA Reauthorization Update**

The Senate has yet to consider a reauthorization of the Federal Aviation Administration (FAA) on the floor. Senate Commerce, Science, and Transportation Committee Chairman John Thune (R-SD) has been working throughout the month of August to clear amendments that have been submitted by individual Senators, with at least 60 possibly being considered as part of a single manager's amendment to the Senate bill ([S. 1405](#)). The deadline to reauthorize some of the key FAA programs is September 30<sup>th</sup>. At the end of the month Senator Thune mentioned that it is possible that the parts of all of the

reauthorization legislation will ride on a potential Continuing Resolution mentioned earlier in this report.