



Monthly Legislative Report – May 2022

May Advocacy Meetings

Congressman Alan Lowenthal (D-CA) – We met with Congressman Lowenthal and his staff this month to discuss FY23 appropriations and Community Project Funding (CPF) requests. Rep. Lowenthal's list of FY23 CPF requests can be found [HERE](#). We also discussed support for OCTA's grant applications. Congressman Lowenthal provided a letter of support for the OCTA's zero-emission paratransit bus pilot project grant.

Congressman Mike Levin (D-CA) – We met with Congressman Levin and his staff this month to discuss our CPF requests to fund rail infrastructure protection on the South Coast, and improvements for SR-74. Congressman Levin requested \$4 million for the State Route 74 (SR-74) Improvements project. A full list of Rep. Levin's FY23 CPF requests can be found [HERE](#).

Congresswoman Linda Sanchez (D-CA) – We met with Congresswoman Sanchez and her staff this month to discuss the FY23 appropriations process and our requests for Community Project Funding. We also discussed the timeline and process for receiving FY22 enacted CPF funding. A full list of Rep. Sanchez's FY23 requests can be found [HERE](#).

Congressman Lou Correa (D-CA) – We met with Congressman Correa and his staff this month to discuss our requests to fund zero emission bus replacements, a connected bus pilot at Harbor Blvd, the Rails to Trails project at Santa Ana-Garden Grove, and improvements to SR-91 at Lakeview. Rep. Correa requested \$3 million for the Santa Ana-Garden Grove project in the FY23 CPF process. A full list of Rep. Correa's FY23 requests can be found [HERE](#). We also discussed support for the SR-91's Multimodal Project Discretionary Grant (MPDG) Program application and helped facilitate the Congressman's sign-on to a letter of support to the Secretary of Transportation.

Congresswoman Young Kim (R-CA) – We met with Congresswoman Kim and her senior staff this month to discuss FY23 appropriations and our CPF requests. Rep. Kim requested \$1.5 million for the OC Loop project and \$3 million for the SR-91 Improvement Project (SR-55 to Lakeview Avenue). A full list of Rep. Kim's FY23 requests can be found [HERE](#). We also discussed support for the SR-91 Multimodal Project Discretionary Grant (MPDG) application and secured the Congresswoman's participation on a letter of support.

Congresswoman Katie Porter (D-CA) – We met with Congresswoman Porter and her staff this month to discuss the FY23 appropriations process and provide an update on OCTA projects. We discussed support for OCTA projects being requested in the FY23 CPF

process. We also discussed support for the Buses and Bus Facilities program and secured a bi-partisan letter of support for the grant application with Congressman Correa.

Congressman Pete Aguilar (D-CA) – We met with Congressman Aguilar and his staff this month to follow-up on guidance for the FY23 appropriations process, and timeline for subcommittee markups. We also discussed the timeline for FY22 CPF funds that were enacted in the March omnibus, and when those funds will be available to recipients.

Senator Dianne Feinstein (D-CA) – We met with Senator Feinstein’s staff this month to discuss the FY23 CPF process and provide supplemental information supporting the projects consideration. We also discussed Senate committee deadlines and the timeline for committee consideration.

Senator Alex Padilla (D-CA) – We met with Senator Padilla and his staff multiple times this month to discuss the FY23 CPF process, the eight projects we submitted for consideration, and the timeline for final consideration by the committee.

House Appropriations: Transportation, Housing and Urban Development – We met with senior staff on the THUD appropriations Subcommittee this month to discuss guidance for the FY23 CPF process. We also followed-up on our discussions regarding enacted CPF funds in the FY22 omnibus, and how that funding will be disbursed.

House Transportation and Infrastructure Committee – We met with senior Majority and Minority committee staff multiple times this month to discuss the IIJA implementation and opportunities to provide input as the Administration prepares to issue new notice of funding opportunities.

Fiscal Year 2023 Appropriations

House and Senate Committee Leadership on Appropriations have yet to negotiate topline spending levels for the Fiscal Year 2023 (FY23) Appropriations bills. However, Senate Appropriations Chairman Patrick Leahy (D-VT) and Ranking Member Richard Shelby (R-AL) are both retiring at the end of this Congress and have met multiple times this month to discuss a path forward for FY23 spending bills. House Appropriations Chairwoman Rosa DeLauro (D-CT) acknowledged the delays in starting the process this year, but said her committee was still planning to stick to its schedule and that the hope was topline numbers could be agreed to in June. The House Appropriations Committee has tentatively scheduled Subcommittee markups between June 13-22, at which time the full texts of each bill will be released. Subcommittee markups will be followed by Full Committee markups, likely held between June 22-30, followed by floor consideration in July.

Every Member of Congress that requested Community Project Funding (earmarks) is required to publicly post their requests to their personal website. The House Appropriations Committee has complied every FY23 request [HERE](#). If the FY23 process mimics the process used last year, most requests will be included in the text of the final bills. However, since there is a 1% of total discretionary spending limit on CPF funds, as set by the Committee, the topline spending amount for FY23 will determine the amount of funds available for each Member.

FTA Announces New Deputy Administrator

On May 11th the FTA Administrator Nuria Fernandez announced the appointment of Veronica Vanterpool as Deputy Administrator. Vanterpool was a Senior Advisor for the Administrator since 2021. Vanterpool has worked as the CIO of Delaware Transit corporation and leadership roles in New York City including the MTA. To view the press release, click [HERE](#).

Temporary DOT Buy America Waiver for Construction Materials

The USDOT is requesting comments for the Buy America requirement enforced on the Bipartisan Infrastructure Law. For a 180-day period effective May 14th, the FTA will accept comments on how to source products within the country by working and requesting comments from industry leaders, states, and local governments. USDOT emphasizes in the press release the importance in getting American made steel and iron for BIL projects. The Department encourages strong domestic sourcing with the waiver being a way to strengthen the requirement. To view the waiver click [HERE](#).

Small Business COVID Relief Act

On May 19th, the Senate failed to advance [S. 4008](#) - *Small Business COVID Relief Act*, which would have provided a total of \$48 billion in funding for the Restaurant Revitalization Fund (RRF) and other impacted industries such as transportation service providers. The bill includes \$2 billion appropriated for FY22 for transportation entities eligible under the Coronavirus Economic Relief for Transportation Services Act (CERTS). The bill, which failed to overcome a procedural hurdle in 52-43 vote (well short of the 60 votes to avoid a filibuster) was met with criticism from Senate Republicans for being only partially 'paid-for' and relying heavily on deficit spending.

USDOT Supply Chain Tracker

On May 13th, the USDOT shared the transportation supply chain indicators tracker to show different movements of shipping and port activity. It stated the amount of container ships waiting for berths at U.S. ports being down by 47% from the February peak. The USDOT and the supply chain task force are focused on rail service since weekly intermodal movements have increased in March and April with the increasing risk of delays making it difficult to move goods from ports to rail. The USDOT says it is also monitoring potential disruptions such as lockdowns in China and its effects on U.S. territory especially in automobiles and consumer electronics. To read more on the supply chain tracker click [HERE](#).

16-Year High in Traffic Fatalities

On May 17th, the National Highway Traffic Safety Administration released the estimate for traffic fatalities for 2021. 42,915 people died in motor vehicle crashes during 2021. This is a 10.5% increase in fatalities year over year from 2020. The estimation shows 2021 having the largest percent annual increase in motor vehicle crashes since 2005. For the complete press release click [HERE](#).

New “ID” Program from FRA

On May 13th, the USDOT’s Federal Railroad Administration established a new Corridor Identification and Development program that would create a pipeline of projects ready for funding with the purpose of being implemented faster. To know more about the Corridor Identification and Development program click [HERE](#).

Senators Introduce Gas Price Manipulation Bill

Senators Feinstein, Cantwell, Wyden introduced a bill to penalize price manipulation at the gas pump. The Transportation Fuel Market Transparency Act would raise penalties up to \$2 million per day, enhances FTC’s authority to target false market prices, would have constant monitoring of prices, and targets bad actors through the FTC. A one-page summary of the bill is [HERE](#).

The USICA/COMPETES Act

The House and Senate have been working through weekend to resolve differences between the Senate’s USICA and the House’s COMPETES Acts, legislation that would provide funding for domestic semiconductor manufacturing and other technologies. House and Senate negotiators have tentatively hope to finalize negotiations in mid-June, making the final version ready for final passage shortly after.

Port and Supply Chain Envoy Appointed

On May 27th, the White House and USDOT announced General Stephen R. Lyons as the appointed port and supply chain envoy to work on supply chain disruptions. General Lyons who was the former Commander of the U.S. Transportation Command, and will now be working alongside the USDOT, the White House National Economic Council (NEC), ports, rail, trucking, and other private entities affected by supply chain bottlenecks. General Lyons replaces John Porcari for his new role. For the press release click [HERE](#).

FTA Announces \$13 Million From IIJA/BIL for Transit Planning

On May 26th, the FTA announced \$13 million in competitive grant funding for a Pilot Program for Transit-Oriented Development (TOD) Planning. The FTA describes TOD as the relationship among transit, housing, and land use, and planning to reduce costs and for the reduction of impacts of climate and air quality emissions from transportation. To apply for the program the applicant must be an existing FTA recipient and requires work in the project plan to meet the needs of the local community, transit project sponsors, and land planning use authorities in partnership to conduct the work. The application deadline will close on July 25th and on June 9th there will be a webinar further explaining the funding opportunity.

To register for the webinar, click [HERE](#).

To view the complete Notice of Funding Opportunity, click [HERE](#).

Fiscal Year 2022 Clean School Bus (CSB) Rebates Program

The Environmental Protection Agency is now accepting applications for the Fiscal Year 2022 Clean School Bus (CSB) Rebates Program. For each fiscal year between 2022 and 2026, \$500 million is available to fund zero-emission (ZE) and clean school buses, and another \$500 million to fund only zero-emission school buses. This CSB Rebate Program provides a payment from the EPA to an eligible entity to subsidize the purchase of a ZE or clean school bus. Replacement buses must have a battery-electric or propane drivetrain; be an EPA certified vehicle model year 2021 or newer; be purchased, not leased or leased-to-own; and serve the school district listed on the application for at least five years from the date of delivery. Buses eligible for replacement include those that are model year 2010 or older diesel-powered school buses; have a Gross Vehicle Weight Rating of 10,001 lbs or more; be operational at the time of submission; and have provided bus service to a public school district for at least 3 days/week on average during the 2021/2022 school year at the time of applying, excluding COVID-related school closures.

Eligible Entities: State, Territory, or Local Governments that provide bus services; Public school districts; Eligible for-profit and not-for-profit contractors; and Nonprofit school transportation associations.

Total Program Funding Available: EPA anticipates offering \$500 million in CSB Rebates.

Required Cost Sharing or Match: This solicitation does not require a match.

Submission Period: May 20th - August 19th, 2022.