



Monthly Legislative Report – May 2019

May Advocacy Meetings

Congressman Lou Correa (D-CA) – We met with Congressman Correa this month to follow-up on our discussions regarding the FTA's Low-No grant program, and possible legislative efforts to address the aviation fuel tax that impact self-help counties in CA. We also discussed support for Congresswoman Napolitano's (D-CA) legislation (H.R. 2939) to address aviation fuel taxes.

Congressman Gil Cisneros (D-CA) – We met with senior staff in Congressman Cisneros' office to discuss possible TIFIA reform legislation and OCTA's Low-No grant application at FTA. We also discussed Congresswoman Napolitano's bill to address the aviation fuel tax issue.

Congresswoman Linda Sanchez (D-CA) – We met with Congresswoman Sanchez's staff this month to discuss possible revenue sources for a surface reauthorization and the outlook for a gas tax increase. We also discussed support for OCTA's FTA Low-No grant for low emission buses. Congresswoman Sanchez signed on to the delegation letter sent to FTA earlier this month.

Congressman Harley Rouda (D-CA) – We met with Congressman Rouda's senior staff multiple times this month to discuss the Congressman's priorities for the surface transportation reauthorization bill and the legislation that the Congressman has sponsored. We discussed [HR 2164](#) – *Green Bus Act of 2019*, which would require all buses purchased with federal funds to be zero-emission and some potential concerns with the legislation. We also discussed his legislation ([H.R. 2739](#) – *Transit Infrastructure Vehicle Security Act*) which would prohibit the use of federal dollars to purchase Chinese manufactured rolling stock. The bill would also require transit operators to develop and implement a cybersecurity risk management plan. We also worked with Congressman Rouda's staff on circulating a delegation-wide support letter for OCTA's Low-No grant application that was sent to FTA on May 14th.

Congressman Alan Lowenthal (D-CA) – We met with Congressman Lowenthal's staff this month to discuss the upcoming surface transportation reauthorization and the possibility for language inclusions. We discussed next-steps on the upcoming FTA Low-No grant and OCTA's grant application, and support for Congresswoman Napolitano's aviation fuel tax bill.

Congressman Mike Levin (D-CA) – We met with Congressman Levin's staff several times this month regarding OCTA's FTA's Low-No grant request, and the possibility for opportunities in the upcoming surface transportation reauthorization. We also discussed

the possible legislation to address the FAA's aviation fuel tax issue that impacts self-help Counties.

Congresswoman Katie Porter (D-CA) – We followed-up with staff in Congresswoman Porter's office regarding support for OCTA's Low-No grant application and the delegation support letter. We also discussed the TIFIA program and additional reforms that could be included in the next Highway Bill.

Senator Dianne Feinstein (D-CA) – We met with Senator Dianne Feinstein's staff numerous times this month to discuss the timeline for FY20 appropriations in the Senate and the outlook for Senate's spending levels. We also discussed the possibility of a budget deal before the end of June. Finally, we discussed support for Senators Cornyn and Kaine's legislation, S.353, to streamline the TIFIA program as well as other possible TIFIA reforms that could be included in the Surface Transportation Reauthorization.

Congresswoman Grace Napolitano (D-CA) – We met with Congresswoman Napolitano and her staff to follow-up on her introduction of [H.R. 2939](#) to address the aviation fuel tax issues. We discussed next steps for the legislation and possible obstacles to overcome. We also discussed the surface transportation reauthorization and the possibility for including additional TIFIA reforms.

Congresswoman Julia Brownley (D-CA) – We met with staff in Congresswoman Brownley's office to follow-up on the status of her legislation (HR 2164). We discussed the impact of the bill and the intent of the Congresswoman.

Ranking Member Sam Graves (R-MO) - We met with Ranking Member Graves' staff to discuss next steps on the Surface Transportation Reauthorization and possible funding mechanisms for the bill.

FY19 Budget and Appropriations Update

This month the House Appropriations Committee passed 8 of the 12 individual appropriations bills through the full Committee, making them ready for a vote on the House Floor. A table outlining the status of the 12 House Appropriations bills is included below:

FY 2020 House Appropriations Bills

(Shaded accounts have passed Committee and are ready for a floor vote)

<u>Bill #</u>	<u>Account</u>	<u>Subcommittee Markup</u>	<u>Full Committee Markup</u>
HR _____	Agriculture-FDA	5/23 – Voice Vote	-
HR _____	Commerce, Justice, Science	5/17 – Voice Vote	5/22 – Pass (30-22)
HR 2968	Defense	5/17 – Voice Vote	5/22 – Pass (30-22)
HR 2960	Energy & Water	5/15 – Voice Vote	5/21 – Pass (31-21)
HR _____	Financial Services	-	-

HR ____	Homeland Security	-	-
HR ____	Interior & Environment	5/15 – Voice Vote	5/22 – Pass (30-21)
HR 2740	Labor-HHS-Education	4/30 – Voice Vote	5/8 – Pass (30-23)
HR ____	Legislative Branch	5/1 – Voice Vote	5/9 – Pass (28-22)
HR 2745	Military Construction-VA	5/1 – Voice Vote	5/9 – Pass (29-23)
HR 2839	State & Foreign Operations	5/10 – Voice Vote	5/16 – Pass (29-23)
HR ____	Transportation-HUD	5/23 – Voice Vote	-

The Senate held two budget hearings this month but has yet to release or begin holding markup hearings on individual bills because the House and Senate have yet to agree on a budget deal. Senate Appropriator Lisa Murkowski (R-AK) expressed frustration earlier this month saying that until they know their individual spending allocations, they cannot begin their work in earnest. Senate Majority Leader Mitch McConnell (R-KY) was pushing for a budget resolution that would be acceptable to House Democrats, but negotiators were unable to reach a deal before the Memorial Day break last Friday. The absence of a budget deal could further delay the Appropriations process. Nevertheless, House Appropriators are hoping to maintain the higher domestic accounts. The Republican-controlled Senate, however, seems likely to seek levels much lower than the House allocations in a final budget deal. The House THUD, for example, represents a significant increase in funding levels over the President's Budget request. Details of the House THUD bill are included below.

House FY20 Transportation-Housing and Urban Development (THUD) Summary:

The bill text can be found [HERE](#). The Committee Report has yet to be released.

Department of Transportation (DOT)— The bill provides a total of \$86.6 billion in total budgetary resources for DOT - \$167 million above the 2019 enacted level and \$3.7 billion above the President's budget request. Of this amount, the bill includes:

- \$1 billion for **National Infrastructure Investments (TIGER/BUILD)**, \$100 million above the 2019 enacted level and equal to the President's budget request.
- \$10 million to start a new **Highly Automated Systems Safety Center of Excellence**. This program was not in the 2019 enacted bill or the President's budget request.
- \$17.7 billion for the **Federal Aviation Administration (FAA)**, \$267 million above the 2019 enacted level and \$614 above the President's budget request.
 - \$1.6 billion for **Aviation Safety**, \$267 million above the 2019 enacted level and \$276 million above the President's budget request.
 - \$500 million for discretionary **Airport Improvement Grants**, equal to the 2019 enacted level and \$500 million above the President's budget request.
- \$48.9 billion for the **Federal Highway Administration**, \$404 million below the 2019 enacted level and \$1.7 billion above the President's budget request.

- \$1.75 billion for discretionary **Highway Infrastructure Programs**, \$1.5 billion below the 2019 enacted level and \$1.45 billion above the President's budget request.
- \$677 million for the **Federal Motor Carrier Safety Administration**, \$10 million above the 2019 enacted level and \$1 million above the President's budget request.
- \$1 billion for the **National Highway Traffic Safety Administration**, \$44 million above the 2019 enacted level and \$81 million above the President's budget request.
- \$3 billion for the **Federal Railroad Administration**, \$96 million above the 2019 enacted level and \$877 million above the President's budget request.
 - \$350 million for **Consolidated Rail Infrastructure and Safety Improvements**, \$95 million above the 2019 enacted level and \$20 million above the President's budget request.
 - \$350 million for **Federal-State Partnership for State of Good Repair**, \$50 million below the 2019 enacted level. The President's budget request proposed eliminating this program.
 - \$2 billion for **Amtrak**, \$50 million above the 2019 enacted level and \$1.1 billion above the President's budget request.
 - \$700 million for **Northeast Corridor Grants**, \$50 million above the 2019 enacted level and \$375 million above the President's budget request.
 - \$1.3 billion for **National Network Grants**, equal to the 2019 enacted level and \$681 million above the President's budget request.
- \$13.5 billion for the **Federal Transit Administration**, \$60 million above the 2019 enacted level and \$1.1 billion above the President's budget request.
 - \$2.3 billion for **Capital Investment Grants**, equal to the authorized level, \$251 million below the 2019 enacted level, and \$797 million above the President's budget request.
 - \$750 million for **Transit Infrastructure Grants**, \$50 million above the 2019 enacted level and \$250 million above the President's budget request.
- \$40 million for the **Saint Lawrence Seaway Development Corporation**, \$4 million above the 2019 enacted level and \$12 million above the President's budget request.
- \$1.1 billion for the **Maritime Administration**, \$63 million below the 2019 enacted level and \$395 million above the President's budget request.
 - \$300 million for the **Maritime Security Program**, equal to the 2019 enacted level and the President's budget request.
 - \$225 million for the **Port Infrastructure Development Program**, \$68 million below the 2019 enacted level. The President's budget request did not include funding for this program.

Other Legislative and Administrative Updates

- On May 22nd, Democratic Leaders met with President Trump at the White House for a follow-up meeting to discuss an infrastructure package and possible revenue sources. This meeting reportedly only lasted a few minutes with no progress on infrastructure due to political back-and-forth between the President and House Speaker Nancy Pelosi (D-CA). After the meeting, House Transportation and Infrastructure Committee Chairman Peter DeFazio (D-OR) released a statement saying that he and his committee will now focus their work on a surface transportation reauthorization bill and not a broad infrastructure bill, an approach favored by Senate Republicans.
- Earlier in the month, the House Transportation and Infrastructure (T&I) Committee approved a bill this month sponsored by Chairman Peter DeFazio (D-OR) by voice vote with no amendments that would require all Harbor Maintenance Trust Fund (HMTF) dollars to be spent on its intended purpose. Congressman Mark Meadows (R-NC) was the only Republican on the Committee to voice concerns that this could increase federal obligations and incur new spending as a result.
- Earlier this session, Congresswoman Grace Napolitano (D-CA) introduced a bill ([H.R. 1139](#) – *Transit Worker and Pedestrian Protection Act*) that would direct rail and bus operators to develop and implement operator and transit worker safety plans. The bill has 107 cosponsors from both parties and has been referred to the House Highways and Transit Subcommittee. Congressman Lowenthal is the only Orange County delegation member cosponsor of the bill. The bill authorizes up to \$25M to implement the bus operations safety risk reduction program. House T&I majority staff anticipates that the bill will be marked-up and passed out of Committee in the next few weeks.
 - This month Orange County Congressmembers Gil Cisneros (D-CA), Harley Rouda (D-CA), and Linda Sanchez (D-CA) also signed on as cosponsors.
- Congresswoman Julia Brownley (D-CA) introduced a bill this month ([H.R. 2164](#) – *Green Bus Act of 2019*). If enacted, this legislation would require any bus purchased or leased with funds provided by the Federal Transit Administration (FTA) to be a zero-emission bus by 2028. The bill provides new funding streams for zero-emission buses. At the time of this report the bill has nine cosponsors and has been referred to the House Highways and Transit Subcommittee.
 - OC's Rep. Alan Lowenthal (D-CA) and Rep. Harley Rouda (D-CA) have signed on as co-sponsors of the bill.
- Senator John Cornyn (R-TX) introduced a bill this month entitled [S. 846](#) – *Transit Infrastructure Vehicle Security Act*. The bill has 12 cosponsors and has been referred to the Senate Banking Committee. If passed, the bill would prohibit the use of federal dollars for rolling stock that is manufactured by a company that is "owned or controlled by, is a subsidiary of, or is otherwise related legally or

financially to a corporation based in a country” that is identified as a nonmarket economy country, or is subject to monitoring by the US Trade Representative. Minority stakeholder or investment relationships would be an exception. The bill would also require additional certifications in addition to requiring recipients to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks.

- This month the bill gained an additional 26 cosponsors for a total of 43.
- Prior to the Memorial Day recess week, the House and Senate reached a deal on a \$19.1 billion disaster aid package (H.R. 2157) and Leaders in both chambers began procedures to fast-track the bill’s passage. However, during a unanimous consent vote on the bill a single Republican, Rep. Chip Roy (R-TX), objected to the consent vote, requesting debate and requesting a roll call vote when Congress returns on June 4th. On Tuesday, House Leadership tried to pass the bill again under unanimous consent during a *pro forma* session, but another Member, Rep. Thomas Massie (R-KY), objected on the floor. This supplemental appropriations bill included extra funding for DOT’s “*Public Transportation Emergency Relief Program*.” A clean extension of the National Flood Insurance Program (NFIP) that had passed the House earlier this month was also included in this package. House Leadership, however, was able to pass a separate two-week Senate-passed NFIP bill (S. 1693) during the *pro forma* session before the end of the month to prevent that program from lapsing.