



## Monthly Legislative Report – February 2020

---

### February Advocacy Meetings

**Congresswoman Grace Napolitano (D-CA)** – We met with Congresswoman Napolitano this month regarding the Surface Transportation Reauthorization drafting process and next steps for [H.R. 2939](#) to address the aviation fuel tax issues. We also discussed her legislation [H.R. 1139](#) – Transit Worker and Pedestrian Protection Act. As of this report the bill has 197 cosponsors (187 Dem | 10 Rep).

**Congressman Harley Rouda (D-CA)** – We followed-up with Congressman Rouda and his staff this month to discuss progress on a Surface Transportation Reauthorization. We discussed the upcoming T&I Committee hearings to examine funding for a robust freight and passenger rail network. We also discussed the President's budget and potential responses to proposals to reorganize Highway Trust Fund disbursement procedures at the Department of Transportation (DOT). We also met separately to secure a letter of support for OCTA's INFRA grant application for the SR-55 project. The letter was submitted to Secretary Chao on February 24<sup>th</sup> and was cosigned by Reps. Correa, Porter, Cisneros, and Lowenthal.

**Senate Banking Committee** – We met with senior majority staff on the Senate Banking committee to follow-up on our discussions regarding 13c provisions and timing of the transit title for the next Surface Transportation Authorization. We also scheduled a meeting for OCTA staff and Committee staff in March.

**Congressman Lou Correa (D-CA)** – We met with Congressman Correa and his staff multiple times this month to discuss OCTA's INFRA grant application for SR 55 and the formal support for the project at DOT. We also discussed the upcoming trip for OCTA staff to DC and scheduled a meeting with Congressman Correa to discuss OCTA projects and policy priorities.

**Congresswoman Katie Porter (D-CA)** – We met with staff in Congresswoman Porter's office this month to discuss support for the SR-55 INFRA grant application. During our meeting we also followed-up on our discussions regarding the I-405 project, the benefits for streamlining the TIFIA process and language for the next reauthorization bill that we shared, and support for legislation to address the Aviation fuel tax issue. We also discussed the upcoming trip for OCTA staff in March.

**Congressman Mike Levin (D-CA)** – We met with Congressman Levin and his staff this month to follow-up on our discussions regarding the I-405 project. We also discussed support for new project funding opportunities at DOT in the FY21 appropriations process.

**Congressman Gil Cisneros (D-CA)** – We followed-up with Congressman Cisneros and his staff on ways to streamline TIFIA as one reauthorization request, and discussed support for OCTA funding applications at DOT. We also discussed support for OCTA's INFRA grant application and asked that the Congressman sign the support letter led by Congressman Rouda.

**Congressman Pete Aguilar (D-CA)** – We met with Congressman Aguilar and his staff multiple times this month to discuss FY21 appropriations. We discussed topline spending levels and opportunities for favorable report language or funding opportunities. We also discussed the transit and transportation impacts of the Coronavirus and the need to clarify procedures and communications between regional transportation agencies and federal partners.

**Congressman Alan Lowenthal (D-CA)** – We followed-up with Congressman Lowenthal and his staff regarding the Surface Transportation Reauthorization and opportunities to address TIFIA reforms and some additional provision that could expedite project delivery. We also asked for the Congressman's support for OCTA's INFRA grant application to support work on the SR-55 project. We also discussed the upcoming House T&I Hearing to examine funding for freight and passenger rail and possible new opportunities for funding.

**House Transportation and Infrastructure Committee** – We continue to follow-up with senior Majority and Minority staff on the House Transportation and Infrastructure Committee this month regarding TIFIA reform legislation in the Surface Transportation Reauthorization and other possible changes to the discretionary grant programs that are being contemplated. We discussed the timeline for formal work on the legislation, and the impacts of climate change provisions on transit agencies, including the need to oppose unfunded mandates.

## **State of the Union 2020**

The President delivered his State of the Union Address to a Joint Session of Congress on February 4<sup>th</sup>. During the address, the President reiterated his Administration's priorities and outlined a number of items that he believes could see bipartisan support in the coming year, including a broad bipartisan infrastructure proposal (though the President did not specifically mention the infrastructure proposal put forward by House Democrats in January).

The President also discussed policy proposals that are unlikely to gain any bipartisan support, specifically regarding immigration and border security. President Trump also mentioned support for legislation sponsored by Senator Thom Tillis (R-NC) that would allow victims to sue Sanctuary Cities/States for crimes committed by aliens that have benefited from Sanctuary Policies. The full text of the bill can be found [HERE](#). The Senate bill has 13 Republican cosponsors. A companion bill in the House, with 22 Republican cosponsors, can be found [HERE](#).



## **FY21 Budget Appropriations**

On February 10<sup>th</sup>, the White House Office of Management and Budget (OMB) released the President's Fiscal Year 2021 (FY21) budget. The annual budget is a way for the President to formally present the goals and spending objectives of his Administration to Congress. The budget has no statutory authority and is seen by Congressional appropriators as a set of loose "guidelines".

A direct link to the President's FY21 Budget can be found [HERE](#), along with historical tables, factsheets, and past President's budgets. The "[Major Savings and Reforms](#)" document outlines all programs that the President and his Administration would like to eliminate, or fund at significantly lower levels.

A list of priorities for the President and related factsheets can be found here:

- [Overview](#)
- [Border Security](#)
- [Modernizing Government](#)
- [Infrastructure](#)
- [National Security](#)
- [Support for Working Families](#)
- [Criminal Justice Reform](#)
- [Health and Wellness](#)
- [Combating Human Trafficking](#)
- [Industries of the Future](#)
- [Exploration of the Moon and Mars](#)
- [Investing in Rural America](#)
- [Combating Targeted Violence](#)
- [Improving America's Economic Standing](#)

The Department of Transportation's "Budget in Brief" containing budget highlights and justifications can be found [HERE](#). Secretary of Transportation Elaine Chao testified before the House Appropriations Subcommittee on Transportation, Housing and Urban Development on February 27<sup>th</sup>. During the hearing, Democrats expressed concerns with proposed reductions to Amtrak funding in the Northeast corridor, and procedures being implemented regarding Coronavirus response and mitigation. The remainder of the hearing focused primarily on requests for information from Members regarding local projects in their regions.

After the release of the President's Budget, the House and Senate Appropriations Committees began working on drafting their respective appropriations bills for FY21. With the exception of Homeland Security and Military Construction and Veterans Affairs, each subcommittee has also put out a Dear Colleague providing further instructions to Members. These requests to the Committees are programmatic requests since there will be no earmarks for 2021. The instructions for the online submittals are linked below.

Rep. Hoyer has already cleared the month of June to run appropriations bills on the floor with the goal of completing all appropriations work prior to the July 4<sup>th</sup> recess. House Democrats on the Appropriations Committee we spoke to have been saying that the 2-

year budget deal reached last August limits the amount that Congress can spend for FY21 to a little more than FY20 levels. However, Appropriators are confident that the process will be faster this year without needing to proceed with typically contentious budget negotiations.

The deadline for Members of Congress to submit a request for funding and/or language in the FY21 [Transportation, Housing and Urban Development, and Related Agencies](#) appropriations bill is March 17, 2020.

It is possible, however, that some of the appropriations deadlines may slip as a consequence of possible focus on supplemental funding bills to address the Coronavirus response. Nevertheless, we are in the process of following up with each of the OC delegation offices on OCTA's appropriations requests.

### **FTA Grants for Buses and Bus Facilities Programs**

On February 7<sup>th</sup>, the Federal Transit Administration (FTA) announced a Notice of Funding Opportunity (found [HERE](#)) totaling \$454.6 million in FY20 funds for buses and bus facilities. "The Buses and Bus Facilities Program is an excellent opportunity to leverage technology to modernize bus fleets and improve the mobility for their residents through innovation," said FTA Acting Administrator K. Jane Williams. The award ceiling is \$45.5 million, and FTA expects to grant 300 awards. The deadline to apply is March 30<sup>th</sup>, 2020.

### **Innovative Rail Transit and Bus Operator Safety Research Opportunity**

On February 13<sup>th</sup>, the FTA announced the availability of \$9.3 million in research funding for innovative projects to improve rail transit and bus operator safety. The funding is split into two categories. \$7.3 million will be used for projects that demonstrate and evaluate new technologies, safer designs, and practices. \$2 million will be awarded to projects that redesign transit bus operator compartments to improve operator safety. The NOFO can be found [HERE](#), and the deadline to apply is March 24<sup>th</sup>, 2020.

### **BUILD Grants**

On February 19<sup>th</sup>, the Department of Transportation (DOT) announced \$1 billion in Fiscal Year 2020 (FY20) discretionary grant funding for BUILD grants. FY20 BUILD Transportation grants are for planning and capital investments in surface transportation infrastructure and are to be awarded on a competitive basis for projects that will have a significant local or regional impact. BUILD funding can support roads, bridges, transit, rail, ports or intermodal transportation. To better address the needs of rural America, which has historically been neglected, DOT intends to award 50% of BUILD Transportation grant funding to projects located in rural areas that deliver "positive benefits for these communities, consistent with the Department's R.O.U.T.E.S. initiative."



For this round of BUILD Transportation grants, the maximum grant award is \$25 million, and no more than \$100 million can be awarded to a single State. The official Notice of Funding Opportunity (NOFO) can be found [HERE](#). The deadline to apply is May 18, 2020.

### **Coronavirus Impacts on Transportation**

On February 26<sup>th</sup>, House Transportation and Infrastructure Committee Chairman Peter DeFazio (D-OR) sent a letter to DOT Secretary Elaine Chao requesting information on how the DOT plans to effectively prepare for the “imminent arrival of a pandemic caused by Coronavirus”. The letter (found [HERE](#)) outlines concerns that the federal-led coordination efforts with affected industries, like airports and airlines, has not been effective. Chairman DeFazio asks that the DOT provide written explanation of specific measures the DOT is taking to work with airports, airlines, and other federal departments and agencies to mitigate the spread of Coronavirus in communities. This was also a topic in a recent House budget hearing with Secretary Chao testifying. While this letter specifically asks DOT to provide information regarding airports and airlines, it is possible that these requests could also be expanded to transit and rail if there is a larger-scale outbreak in US communities.