



## Monthly Legislative Report – August

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### August Advocacy Meetings

**Office of Congressman Mike Levin (D-CA)** – We followed up with Congressman Levin’s legislative director to discuss next steps for the Coastal Rail Corridor Relocation Study Community Project Funding (CPF) request included in the Transportation Housing and Urban Development (THUD) appropriations bill.

**Office of Congresswoman Katie Porter (D-CA)** – We met with Congresswoman’s staff to discuss a potential transit bill that is being discussed to help fund operating expenses for transit agencies. We also discussed support for additional passenger rail funding and expanded passenger rail eligibility for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) program.

**Office of Congresswoman Young Kim (R-CA)** – We followed up on our July meeting with Congresswoman Kim’s staff to discuss the OC Loop project. We also discussed the timeline for a possible Continuing Resolution (CR) and the impacts of the potential spending cut on Infrastructure Investment and Jobs Act (IIJA) discretionary funding and U.S. Department of Transportation (DOT) grant programs.

**Office of Congressman Lou Correa (D-CA)** – We met with Congressman Correa’s staff to discuss the Fiscal Year 2024 (FY24) appropriations bills and OCTA’s transit-related CPF request. We also followed up on the Congressman’s draft legislation, the “Business Uninterrupted Monetary Program Act of 2023” that would require certain grant recipients of transit and highway transportation projects to establish and contribute to a business uninterrupted monetary program fund.

**Office of Congresswoman Grace Napolitano (D-CA)** – We followed up with Congresswoman Napolitano’s staff to discuss next steps on the aviation fuel tax issue in the Federal Aviation Administration (FAA) Reauthorization and the timeline for a final bill. Congresswoman Napolitano’s amendment was not ruled in order during the House Rules Committee markup and could not be offered on the House floor in July, but the Congresswoman’s staff members are working with Senator Padilla’s office to include a similar provision in the Senate bill.

**Office of Congressman Troy Nehls (R-TX)** – We followed up with Congressman Nehls’ staff on the possibility of new rail safety legislation this year. We also discussed expanded CRISI eligibility for intercity passenger rail in the THUD Appropriations bill that is currently pending in the House.

**Office of Congressman Sam Graves (R-MO)** – We met with House Transportation & Infrastructure Committee Chairman Sam Graves’ senior staff on the timeline for negotiations with the Senate on the FAA reauthorization and the potential for an extension of the current FAA authorization if no bill is enacted before the end of the fiscal year. We also discussed timing of the next Water Resources Development Act (WRDA) and potential provisions that could expedite reviews for transportation project development, right-of-way acquisition, and construction activities.

**Office of Congressman Tom Cole (R-OK)** – We followed up with Chairman Tom Cole’s legislative director on CPF requests in the THUD Appropriations bill.

**Office of Senator Dianne Feinstein (D-CA)** – We met with Senator Feinstein’s staff to discuss support for our Congressionally Directed Spending (CDS) requests and potential for including policy language in the THUD Appropriations bill that would expand CRISI eligibility.

**Office of Senator Alex Padilla (D-CA)** – We followed up from our July meeting with Senator Padilla’s staff to discuss the status of the CDS requests in the THUD bill and the FAA Reauthorization legislation in the Senate.

**Senate Committee on Commerce, Science & Transportation** – We met with professional staff on the Senate Commerce, Science & Transportation Committee to discuss the FAA Reauthorization and the timeline for a committee markup of the Senate bill.

### **Fiscal Year 2024 Appropriations Update**

Congress will return to session in early September with only three legislative weeks before the end of the Fiscal Year with none of the 12 FY24 appropriations bills signed into law. House Speaker Kevin McCarthy (R-CA) has indicated he would support a short-term CR expiring in early December. However, negotiations between the House Republican leaders and Senate Democrat Leaders may prove difficult due to vast differences in spending priorities, topline spending levels. Additionally, House Republican efforts to repeal or defund programs authorized and funded in the *Inflation Reduction Act (IRA)* could also potentially delay a year-end compromise on the federal spending. Furthermore, the White House has issued a veto threat on some of the bills in the House, with more veto threats expected should the rest of the bills move forward to the House floor in September at the current committee-passed funding levels. Some of the current veto threats are available [HERE](#) and [HERE](#).

It has also been reported that there are ongoing discussions among Senate Leadership regarding the potential of a combined package that includes stopgap funding for the rest of 2023 and supplemental appropriations to include additional disaster relief funding.

There is a pressing need for additional disaster aid funding at the Federal Emergency Management Agency (FEMA), which is struggling to support on-going recovery efforts from recent disasters. This Senate strategy, however, may be difficult for House Speaker Kevin McCarthy to pass the bill on the House floor if the House Freedom Caucus opposes the bill that contains any supplemental funding not first considered in the House.

## **President Biden's Supplemental Funding Request**

On August 10<sup>th</sup>, President Biden sent Congress an emergency supplemental appropriations request for an additional \$40.1 billion. The package includes \$24.1 billion for ongoing war efforts in Ukraine, with allocations of \$13.1 billion for military aid, \$8.5 billion for humanitarian and economic assistance, and funds for infrastructure programs via the World Bank. Additionally, \$12 billion is allocated for disaster relief, addressing natural disasters like flooding in Vermont and wildfires in Hawaii. Security measures at the southern border would receive \$4 billion, primarily for border management and migrant shelters, counter-fentanyl activities, and drug treatment and recovery support. As mentioned earlier, parts of this supplemental request may be considered as part of the Continuing Resolution to fund the government beyond September 30<sup>th</sup>. More information on the President's request is available [HERE](#).

## **House Appropriations Committee Update**

Retiring Representative Chris Stewart from Utah will step down from Congress in mid-September, creating an opportunity on the coveted Appropriations Committee and triggering a competition among Republicans vying for the position. Freshmen lawmakers Lori Chavez-DeRemer (R-OR) and Nick LaLota (R-NY) are reportedly seeking the seat. The GOP Steering Committee will likely decide in early September. Rep. Chavez-DeRemer, the former mayor of Happy Valley, Oregon, won her district by a small margin and is favored by leadership. Rep. LaLota represents a Long Island district in New York and has support from state delegation members. Other contenders, including Members of the House Freedom Caucus, are also expected to enter the race. Stewart's departure also opens a spot on the Defense Appropriations Subcommittee (Chaired by Rep. Ken Calvert (R-CA), which oversees a significant portion of discretionary spending.

## **\$139 Million Available for the Special Transportation Circumstances Program**

On August 18<sup>th</sup>, the DOT's Federal Railroad Administration (FRA) introduced a Notice of Funding Opportunity (NOFO) to allocate \$139 million through the Bipartisan Infrastructure Law for the Special Transportation Circumstances (STC) grant program. Aligned with President Biden's Investing in America agenda, the program seeks to enhance rail infrastructure in Alaska, South Dakota, and Wyoming by focusing on states without intercity passenger rail service or national rail system connectivity. The STC initiative, supported by appropriations from various rail programs, aims to upgrade avalanche safety systems, facilitate lumber transport, and implement culverts. The FRA's investment is intended to improve safety, boost supply chain efficiency, and stimulate local economies in these regions. Applications for the program are due by September 29<sup>th</sup>, 2023, with the funding covering eligible projects outlined in the Consolidated Appropriations Acts from 2017 to 2023, potentially covering up to 80 percent of total project costs. Further information about the grant application process is available [HERE](#).

## **\$102.3M Available for Emergency Relief to Transit Agencies Recover from Disasters**

The Federal Transit Administration (FTA) announced \$102.3 million in funding to 17 transit agencies, cities, and planning councils through the “Public Transportation Emergency Relief (ER) Program.” The full list of awards ranges from \$90,000-\$30,000,000 and is available [HERE](#). FTA’s Emergency Relief Program provides assistance to public transit operators in the aftermath of a declared emergency or major disaster. More information is available [HERE](#).

## **FTA Opens Pilot Program for Transit-Oriented Development (TOD) Planning**

On Monday, August 7<sup>th</sup>, the FTA opened the competitive grant application process for the Pilot Program for Transit-Oriented Development (TOD) Planning. TOD aims to link public transportation, land use, and housing to create communities that are connected to transit and walkable. Comprehensive planning funded through the program must examine ways to improve economic development and ridership, foster multimodal connectivity and accessibility, improve transit access for pedestrian and bicycle traffic, engage the private sector, identify infrastructure needs, and enable mixed-use development near transit stations. More information on the program is available [HERE](#) and [HERE](#).

## **“Solar for All” Grant Program Funding Opportunity**

The Solar for All Grant Program aims to boost distributed solar investment in low-income and disadvantaged communities, enhancing clean solar energy access for low-income households across the U.S. Grantees can use funds to expand existing low-income solar initiatives or establish new nationwide Solar for All programs. This funding opportunity doesn't fund individual solar projects; instead, grantees will offer financial aid, like subsidies, to residential rooftop and community solar projects in these communities. Additionally, they'll provide technical assistance for project deployment, including workforce development and community outreach, to overcome solar implementation barriers. The program's core goals encompass cutting greenhouse gas emissions and air pollutants, extending project benefits to American communities stimulating private capital to encourage further emissions-reducing project adoption.

**Eligible Entities:** States; Territories; Municipal Governments; and Nonprofit entities

**Total Program Funding Available:** \$7 billion.

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

**Deadline for full applications:** September 26, 2023, 11:59 PM EST

**Advisement:** EPA will not be reviewing or making determinations about an applicant’s eligibility based solely on the information provided in the Notice of Intent; EPA will determine an applicant’s eligibility based on the information provided in the full application.

Additional program information is available [HERE](#).