



Monthly Legislative Report – April 2023

April Advocacy Meetings

Congresswoman Young Kim (R-CA) – We met with Congresswoman Kim and her staff to discuss our Fiscal Year 2024 Community Project Funding requests. We also provided the office with additional information for the two submissions the Congresswoman made with House Appropriations Committee for the State Route-91 Improvement project and the Orange County Loop project.

Congressman Mike Levin (D-CA) – We met with Congressman Levin’s staff to discuss our Fiscal Year 2024 Community Project Funding request and provided support materials for the request. We also obtained a support letter from the Congressman for Orange County Transportation Authority’s (OCTA) grant application for the Low or No Emission and the Buses and Bus Facilities Competitive Grant Programs. We also followed up with the Congressman and provided a thank you letter for his support for OCTA’s Transit and Intercity Rail Capital Program (TIRCP) funding request.

Congresswoman Katie Porter (D-CA) – We were in contact with Congresswoman Porter’s staff to discuss OCTA’s grant application for the Low or No Emission Grant Program and the Buses and Bus Facilities Competitive Grant Program. The Congresswoman subsequently provided a support letter for the grant applications.

Congressman Troy Nehls (R-TX) – We met with the Congressman Nehls, Chairman of the Railroads, Pipelines, and Hazardous Materials Subcommittee, this month to discuss the Congressman’s possible trip to Southern California this summer. We also continued to discuss with the Congressman staff potential rail safety legislation and the Congressman’s priorities for that legislation that includes robust funding for passenger rail service.

Congressman Sam Graves (R-MO) – We met with the Chairman of the Transportation and Infrastructure Committee’s staff to discuss rail safety legislation as well as the Committee’s upcoming plans for additional oversight of the Infrastructure Investment and Jobs Act (IIJA) during the month of May.

Senator Dianne Feinstein (D-CA) – We met with Senator Feinstein’s staff to discuss the submitted Fiscal Year 2024 Congressionally Directed Spending request for the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN Corridor) rail study and provided the Senator’s appropriations staff members with additional information for the project. We also provided the staff with update on the LOSSAN Corridor rail service.

Senator Alex Padilla (D-CA) – We met with Senator Padilla’s staff to discuss the submitted Fiscal Year 2024 Congressionally Directed Spending request and provided updates and additional information for OCTA’s Advancement of zero emission buses request.

Senator Roger Wicker (R-MS) – We met with Senator Wicker to discuss upcoming legislation in the Senate Commerce, Science, and Transportation Committee, the rail safety bill, and the FAA Reauthorization.

Fiscal Year 2024 (FY24) Appropriations

In March and April Members submitted the following appropriations requests for OCTA projects:

\$2,000,000 – Sen. Dianne Feinstein (D-CA) - Short-term LOSSAN corridor rail study- a list of Senator's requests can be found at the following [LINK](#)

\$4,000,000 – Rep. Mike Levin (D-CA) - Coastal Rail Corridor Relocation Study – a list of the Congressman's requests can be found at the following [LINK](#)

\$3,000,000 – Rep. Kim (R-CA) – State Route-91 Improvement Project and
\$3,000,000 – Orange County Loop Project – a list of the Congresswoman's requests can be found at the following [LINK](#)

\$5,000,000 – Sen. Alex Padilla (D-CA) – Advancement of zero emission buses – a list of the Senator's requests can be found at the following [LINK](#)

The House Appropriations Committee Chairwoman released a preliminary Appropriations markup schedule (dates below). The specific bills that will be marked up on each day have yet to be determined as of this report, but we are expecting markups of the Defense, Energy-Water, Homeland Security, Military Construction-Veteran Affairs, and Legislative Branch bills to be held first followed by Transportation-Housing and Urban Development, Interior-Environment, State-Foreign Operations, Financial Services, and Labor-Health and Human Services-Education. House Appropriations Subcommittee leaders will also likely receive their Subcommittee allocation numbers in May.

- **May 17th and 18th** - Subcommittee markups will be scheduled on these dates and are expected to be finished by the time votes end on May 18th.
- **May 23rd, 24th, and 25th** - Full Committee markups will be scheduled on these dates and are likely to go well into the afternoon and evening. Members are expected to remain in Washington, D.C., after votes on Thursday, May 25th, as these markups will not be completed by the time votes end on May 25th.
- **June 7th and 8th** - Subcommittee markups will be scheduled on these dates and are expected to be finished by the time votes end on June 8th.
- **June 13th, 14th, and 15th** - Full Committee markups will be scheduled on these dates and will likely go well into the afternoon and evening. Members are expected to

remain in Washington, DC, after votes on June 15th, as these markups will not be completed by the time votes end on Thursday, June 15th.

In the Senate, Appropriations Leaders are expecting to begin the markup process in June but no dates have been scheduled as of this report.

Limit, Save, Grow Act of 2023 and Debt Ceiling Negotiations

The House passed H.R. 2811 - Limit, Save, Grow Act of 2023, Republican Leadership's debt limit proposal, by a vote of 217-215, with 4 Republicans voting no. The House bill is seen as the opening salvo in the upcoming debt ceiling negotiations. As part of the negotiations leading up to the bill's passage, Speaker McCarthy (R-CA) agreed to remove several provisions in the original bill that would have repealed ethanol and other bio-fuel tax incentives, but the repeal of the alternative fuels tax did remain.

The legislation would suspend the debt ceiling through March 2024, or raise the limit by \$1.5 trillion above the current \$31.4 trillion ceiling. If enacted, it would also limit new discretionary spending by capping FY24 spending at FY22 levels while capping annual federal spending growth at 1% each year for the next decade. The bill would also rescind unspent Coronavirus relief funds and repeal most new tax incentives included within President Biden's Inflation Reduction Act of 2023 (IRA), including energy and climate tax credits. It would also rescind the Inflation Reduction Act of 2023 increased funding for the Internal Revenue Service (IRS) enforcement efforts. It would also expand work requirements in safety net programs, including the Temporary Assistance for Needy Families (TANF) and Supplemental Nutrition Assistance Program (SNAP).

The U.S. Department of Transportation (DOT) released a factsheet on the impacts of the Limit, Save, Grow Act of 2023 ahead of the House floor vote. In the release, the DOT stated that the enacted proposal would cut critical programs by 22%, which would lead to 7,500 fewer rail safety inspection days, 30,000 fewer miles of track inspected, a shutdown of services at 375 Air Traffic Control Towers, and longer Transportation Security Administration (TSA) security wait times. Additionally, DOT stated that the proposal would claw back funding for transportation programs, putting \$5.2 billion in funding for transit and highway infrastructure projects at risk. A state-by-state breakdown is available at the following link found [here](#).

Nearly all Senate Democrats are opposed to the bill and the White House quickly issued a statement saying the President would veto this legislation if it reached his desk. Nevertheless, the bill serves as a starting point for House Republicans in the debt-limit negotiations with the Biden Administration and Senate Democrats. House and Senate Leaders are expected to meet at the White House with President Biden on May 9th. That May 9th meeting was announced after Treasury Secretary Janet Yellen sent a letter to House Speaker McCarthy updating the debt ceiling timeline and indicating that legislative action was needed to raise the debt ceiling in June.

House Appropriations U.S. Department of Transportation Budget Hearing

On April 20th, Secretary Buttigieg appeared before the House Appropriations Subcommittee on Transportation and Housing and Urban Development (THUD) to provide testimony and answer questions about President Biden’s proposed Fiscal Year 2024 budget for the U.S. Department of Transportation (DOT). Buttigieg described the current DOT funded projects and defended the funding provided in the Infrastructure Investment and Jobs Act (IIJA), as well as DOT’s ongoing repairs of over 4,500 bridges in the US and the agency’s efforts to improve 70,000 miles of road. Republican Members of the committee expressed concern over the allocation of funding from the IIJA, and many said that the upcoming THUD appropriations bill they were preparing would likely cut or eliminate funding for several IIJA programs.

Department of Transportation Seeks Applications for \$848 Million PROTECT Grant

The U.S. Department of Transportation’s Federal Highway Administration (FHWA) opened applications for the first round of the Bipartisan Infrastructure Law’s Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Discretionary Grant Program. The Notice of Funding Opportunity for Fiscal Years 2022 and 2023 is available at the link [HERE](#) and will remain open for applicants through August 18, 2023.

Other resources are as follows:

- [PROTECT Grant Opportunity \(Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation\)](#)
- [PROTECT Grant Factsheet](#)

U.S. Department of Transportation Announces More Than \$1 Billion for Local Communities to Improve Roadway Safety through the “Safe Streets and Roads for All (SS4A) Grant

On April 17th, the U.S. Department of Transportation (DOT) announced the availability of \$1.177 billion in grant funding for local projects that improve roadway safety. The funds are from the competitive grant program “*Safe Streets and Roads for All (SS4A)*.” In February, DOT announced 473 communities received Action Planning grants, and 37 communities received Implementation grants from the first round of SS4A funding. With similar funding available this year, the Department is encouraging all interested communities to apply.

National Highway Traffic Safety Administration’s Estimates for Roadway Fatalities

The National Highway Traffic Safety Administration (NHTSA) has released its latest projections for traffic fatalities in 2022, estimating that 42,795 people died in motor vehicle traffic crashes. This represents a small decrease of about 0.3% compared to 42,939 fatalities reported for 2021. The estimated fatality rate decreased to 1.35 fatalities per 100 million vehicle miles traveled (VMT) in 2022, down from 1.37 fatalities per 100 million VMT

in 2021. Americans are driving more than they did during the height of the pandemic, almost a 1% increase over 2021.

NHTSA also projects a decline in fatalities during the fourth quarter of 2022. This is the third straight quarterly decline in fatalities after seven consecutive quarters of increases that started in the third quarter of 2020.

Department of Transportation Requests Public Input on Ways to Improve the Environmental Review Process

The Federal Highway Administration (FHWA) will consider ideas and recommendations from public and private stakeholders on how to reduce project delays through the development of more efficient and effective environmental reviews. FHWA is also seeking information on the following:

- The types of assistance that would be most beneficial to recipients of direct funding and facilitate an efficient and effective environmental review process for surface transportation projects.
- What program areas would most benefit from new or continued research; and,
- Ways in which FHWA can make resources available to the eligible entities while promoting equity and maximizing the opportunity to improve the efficiency and effectiveness of the environmental review process.

The full request for information from the FHWA can be found at the link [HERE](#).

Department of Transportation Opens Applications for Grant Program to Reduce Truck Air Pollution at America's Ports

FHWA has opened applications for the first round of the Reduction of Truck Emissions at Port Facilities grant, which focuses on port electrification and efficiency improvements. The FY 22-23 funding for the Reduction of Truck Emissions at Port Facilities Grant Program totals \$160 million and aims to reduce emissions from idling trucks at ports, improving air quality for surrounding communities, truck drivers, and port workers. Eligible projects include developing port-related infrastructure, and on-truck technologies, using zero or low emissions powertrains or fuels on trucks, reducing truck congestion within or adjacent to ports, and reducing port-related emissions from idling trucks through port electrification and improving efficiency. The program aims to install more charging stations and electrical hookups for trucks alongside auxiliary electric power units, providing power to the cab or sleeper berth while allowing the truck's engine to be turned off and save fuel.

Department of Transportation Opens Grant Opportunity for Electric Vehicle Charging and Fueling Infrastructure

This FHWA grant program will fund projects for electric vehicle charging infrastructure, as well as hydrogen and natural gas fueling infrastructure located on public roads or publicly accessible locations or along designated alternative fuel corridors. This program is intended to accelerate the development and implementation of an advanced electric and alternative fuel transportation system that is convenient, affordable, reliable, equitable, and safe. The goal is to have a nationwide network of 500,000 charging stations and improved fueling networks by 2030. Further, the program is intended to supplement private sector investments; and complement existing federal programs to facilitate broad public access to a national charging and alternative fuel infrastructure network. The program also seeks to reduce transportation costs, and advance workforce development; and reduce greenhouse gas and vehicle-related emissions. The program is split between two grant categories that include a “Community Program” and a “Corridor Program.” Community program grants must be located on any public road or in publicly accessible areas such as public parking facilities. Funds may be used to contract with private organizations; and charging infrastructure must be accessible by individuals with disabilities. Corridor grants follow the same criteria as community grants, however, corridor grants are limited to locations within 1 mile of designated alternative fuel corridors previously identified.

Eligible Entities: City, County, State, and Special district governments, MPO’s, Port Authorities, and agencies or instrumentalities owned by one or more of the previously listed entities.

Total Program Funding Available: \$700 million.

- \$350 million for the Community Program Award, with a minimum award amount of \$500,000 and maximum award amount of \$15 million.
- \$350 million for the Corridor Program Award, with a minimum award amount of \$1 million and no maximum award amount.

Required Cost Sharing or Match: A cost match of at least 20% is required.

Application Deadline: May 30th, 2023 at 11:59 PM EST.