

Federal Update for Connect Transit Board Meeting
Prepared by Cardinal Infrastructure
Prepared July 27, 2021

Senate Bipartisan Infrastructure Proposal

According to reports, several items remain to be negotiated and fleshed out in legislative text, including transit and highway funding, along with broadband, national infrastructure bank, water infrastructure, and repurposing of COVID relief funding.

While it sounds like a lot of ground to cover to meet the Senate Majority Leader's timeline, Congress is known to produce quickly when they choose to do so. According to the Republican lead negotiator, Senator Portman (R-OH), "We're about 90% of the way there...we have one issue outstanding...it's about mass transit."

While there is momentum to get to the finish line, reports indicate the negotiations are being challenged by numerous issues and very well could fall apart. Timeline and strategy to develop and pass an infrastructure bill is still fairly fluid at this point. The Senate recess could be delayed (staying passed August 9th) to get the infrastructure bill and \$3.5 trillion budget resolution passed.

The Senate is certainly the focus right now, but Speaker Pelosi's stance is certainly influencing the negotiations. The Speaker has continued to stress that both the infrastructure bill and budget reconciliation bill are to be passed before the House takes up the legislation. This will continue to cause issues as we near passage of a bill.

Chairman DeFazio, along with 30 Democratic members of the House Transportation and Infrastructure Committee, sent a letter to Speaker Pelosi and Majority Leader Schumer urging inclusion of the INVEST in America Act in any bicameral infrastructure legislation. The letter provides, "As the Senate continues work on an infrastructure bill, we urge you to ensure that any product from the Senate will be conferenced with the provisions of the INVEST in America Act."

Chairman DeFazio also sent a 'Dear Colleague' letter to House Members urging their support of including provisions of the INVEST in America Act in any infrastructure legislation. The letter provides a breakdown on the differences between the Senate's bipartisan infrastructure framework compared to the House bill.

Surface Transportation Reauthorization

On July 1, 2021, the House passed the INVEST in America Act by a vote of 221-201. This five-year reauthorization bill provides \$547 billion for surface transportation, as well as \$168.25 billion for drinking water and wastewater infrastructure. The transportation portion of the bill increased by 11% over last year's proposal to meet the investment goals of the President's American Jobs Plan.

Amended and new provisions in the bill include, but are not limited to:

- Amends the Commercial Driver's License provision to only apply to vehicles "designed or used as a stretch limousine" (eliminating its applicability to smaller transit vehicles).
- Expands the Innovation Workforce Standards provision to include mobility on demand services in addition to automated vehicle transit.
- Requires regulations be established to "repurpose, recycle, reuse, sell, or lease transit vehicle batteries that are beyond the useful service life of such batteries for the purpose of transit vehicle propulsion and component parts of such batteries."
- Establishes a \$1 billion All Stations Accessibility Program "to assist eligible entities in financing capital projects to upgrade accessibility for persons with disabilities..."

- Establishes the Reconnecting Neighborhoods Program, “to identify, remove, replace, retrofit, or remediate the effects from eligible facilities and restore or improve connectivity, mobility, and access in disadvantaged and underserved communities...”
- Establishes the Reduce Transit Deserts Program “to establish or enhance bus service with headways equal to or shorter than 20 minutes for at least 18 hours per day in neighborhoods lacking such service; or to establish or increase express lane transit service that connects communities to jobs and essential destinations...”
- Establishes set-asides for “low income communit[ies]” and “priority area[s]” under the Zero Emission Bus Grants Program.
- Requires that not less than 12.5 percent of funds under the Zero Emission Bus Grants Program be available for workforce development training.
- Applies apprenticeship utilization requirements on select grant programs.

House Appropriations

The House Appropriations Committee passed its FY 2022 Transportation-HUD appropriations bill. The House will vote the week of July 26th to pass a mini omnibus package of multiple appropriations bills, including transportation. The bill provides \$84.1 billion in funding, with an additional \$1.9 billion for U.S. DOT over FY 2021 levels, and \$1.4 billion above the Administration's budget request to Congress.

Funding for the Federal Transit Administration includes but is not limited to:

- \$1.2 billion - RAISE grants (formerly BUILD/TIGER)
- \$2.47 billion - Capital Investment Grant program
- \$464 million - Formula Bus and Bus Facilities (no increase from authorized levels)
- \$492 million - Discretionary Bus and Bus Facilities
- \$295 million - Low or No Emission Vehicle grants
- \$5 million - Zero-emission fleet transition planning grants
- \$25 million - Innovative mobility solutions demonstration and deployments
- \$50 million - Integrated smart mobility grants for planning and capital projects
- \$30 million - Climate resilience and adaptation grants

Funding for the Federal Highway Administration includes but is not limited to:

- \$12.1 billion - Surface Transportation Block Grant program
- \$2.5 billion - Congestion Mitigation and Air Quality Improvement program
- \$1 billion - Infrastructure for Rebuilding America grant program
- \$15 million - Grants to develop and expand the capacity to use and deploy Advanced Digital Construction Management Systems
- \$12 million - Regional infrastructure accelerator demonstration program
- \$145 million - Nationally significant federal lands and tribal projects program

FTA Personnel

Paul Kincaid will serve as the Federal Transit Administration's (FTA's) Associate Administrator for Communications and Congressional Affairs. Paul served on the Biden-Harris U.S. DOT transition team and had been Director of Congressional Outreach for the Association of Former Members Congress. Prior to that role, he was a freelance consultant for several years following his eight-month service as Associate Administrator at FTA under the Obama Administration.

Paul has significant Hill experience, working as press secretary and communications director for Congressman Mike Honda (D-CA), Congressman Antonio Cardenas (D-CA), and Congressman Russ Carnahan (D-MO), as well as communications director for Senator Bill Nelson's campaign.