



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

February 15, 2019

AGENDA ITEM 4.2

TO: Regional Transportation Commission

FROM: Lee G. Gibson, AICP
Executive Director

A handwritten signature in black ink, appearing to read "Lee G. Gibson", is written over the printed name and title in the "FROM:" field.

SUBJECT: Federal Report

Monthly update/messages from RTC Executive Director Lee G. Gibson – *no action will be taken on this item.*

**Federal Update for RTC of Washoe County
Prepared by Cardinal Infrastructure and Thompson Coburn
February 15, 2019 Board Meeting**

Continuing Resolution and Fiscal Year 2019 Appropriations

Conferees for the Homeland Security appropriations measure are expected to reach and pass a deal before the February 15th deadline to avoid a partial government shutdown. Democrats have acknowledged there will be some funding for physical barriers, such as fencing. The President has also begun to shift his rhetoric regarding the deadline to reach a deal and pass Fiscal Year (FY) 2019 appropriations. House Homeland Security Appropriations Subcommittee ranking member Chuck Fleischmann (R-TN) said he's hoping negotiators settle on a number for physical barriers that is "north" of \$2 billion, far from the \$5.7 billion the President requested.

A deal would encompass the seven unfinished appropriations bills for FY 2019: Homeland Security, Agriculture, Financial Services, Transportation-HUD, State-Foreign Operations, Commerce-Justice-Science, and Interior-Environment.

On January 23rd, House Democrats passed a full-year appropriations package. The bill passed 234-180. The Transportation-HUD funding levels that were passed are likely the ones to stick in a final bill, but are not official final numbers. The measure includes:

BUILD - \$900 million (\$1.5 billion in FY18)

"the Secretary shall consider and award projects based solely on the selection criteria from the fiscal year 2017 Notice of Funding Opportunity: Provided further, That, notwithstanding the previous proviso, the Secretary shall not use the Federal share or an applicant's ability to generate non-Federal revenue as a selection criteria in awarding projects."

CIG - total of \$2.55 (\$2.65 billion in FY18)

New Starts - \$1.27 billion (\$1.5 billion in FY18)

Core Capacity - \$635 million (\$715 million in FY18)

Small Starts - \$527 million (\$401 million in FY18)

"the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and of section 3005(b) of the Fixing America's Surface Transportation Act."

Bus and Bus Facilities Formula - Additional \$160 million, totaling \$614.96 million (\$654 million in FY18)

Bus and Bus Facilities Competitive - Additional \$160 million, totaling \$482 million (\$407 million in FY18)

Low or No Emission Program - Additional \$30 million, totaling \$85 million (\$84 million in FY18)

House Transportation and Infrastructure

The House Transportation and Infrastructure Committee held a hearing on "The Cost of Doing Nothing: Why Investing in Our Nation's Infrastructure Cannot Wait." Witnesses included previous Secretary of Transportation Ray LaHood, Governor Walz of Minnesota on behalf of the National Governors Association and Mayor Garcetti of Los Angeles on behalf of the US Conference of Mayors, among others.

Chairman DeFazio opened the hearing saying, "Congress must act to provide significant Federal dollars to invest in U.S. infrastructure. Raising revenues is the only sustainable way to increase infrastructure investment. We must answer the tough question of how to sustain investments for future generations and to dig out from the effects of this chronic underinvestment."

Former DOT Secretary Ray LaHood told the House Transportation Committee that they can draft "all the big, bold plans you want," but they won't go anywhere without President Donald Trump on board. Governor Walz remarked, "Governors support federal actions that streamline project delivery, reduce approval and completion times, and increase transparency, but also achieve the intent that underlies critical environmental, planning, design, and procurement reviews."

Review of Federal Guidance

US DOT released a notice of review of guidance. According to the Federal Register notice, "[US DOT] is reviewing its existing guidance documents to evaluate their continued necessity and determine whether they need to be updated or revised." The Department is soliciting comments to identify current guidance that could be repealed, replaced, or modified. Comments are due before April 8, 2019.

State of the Union

In the President's State of the Union address, he said our country must "rebuild and revitalize our nation's infrastructure." Waiting until nearly the end of his address, the President highlighted infrastructure, stating:

"Both parties should be able to unite for a great rebuilding of America's crumbling infrastructure. I know that the Congress is eager to pass an infrastructure bill -- and I am eager to work with you on legislation to deliver new and important infrastructure investment, including investments in the cutting-edge industries of the future. This is not an option. This is a necessity."

Prior to the President's address, House Transportation and Infrastructure Ranking Member Graves (R-MO) said, "The speech doesn't need to get into the weeds—the president just needs to let Congress and industry know that he's serious about working on infrastructure." Talking about backing on pay-fors, Graves said, "We need the support from the president or I just don't think it's going to happen."

House Transportation and Infrastructure Committee Chairman DeFazio responded to the President's statement, saying, "None of this can happen...if we continue to ignore the looming crisis facing the Highway Trust Fund...Any serious infrastructure proposal must provide sustainable, long-term Federal funding so we can make these necessary investments..."

Green New Deal

Senator Markey and Congresswoman Ocasio-Cortez released a non-binding Green New Deal resolution. The resolution is currently co-sponsored by Senators Booker, Harris, Sanders, Gillibrand, and Warren, along with over 20 House Democrats. The resolution states that "...it is the duty of the Federal Government to create a Green New Deal— (A) to achieve net-zero greenhouse gas emissions through a fair and just transition for all communities and workers..." The goal is to accomplish such an endeavor in 10 years.

Through repairing and upgrading the infrastructure in the United States, it is the intention of the resolution to overhaul "transportation systems...to remove pollution and greenhouse gas emissions from the transportation sector as much as is technologically feasible, including through investment in...zero-emission vehicle infrastructure and manufacturing [and] clean, affordable, and accessible public transit..."

Timed close to the release of the "Green New Deal", Speaker Pelosi named nine Democratic members to a new Select Committee on the Climate Crisis. Member include: Congresswoman Kathy Castor (D-FL) as chair, Congressman Ben Ray Lujan (D-NM), Congresswoman Suzanne Bonamici (D-OR), Congresswoman Julia Brownley (D-CA), Congressman Sean Casten (D-IL), Congressman Jared Huffman (D-CA), Congressman Mike Levin (D-CA), Congressman Donald McEachin (D-VA), Congressman Joe Neguse (D-CO).

FHWA Nomination

The Senate Environment and Public Works Committee approved the nomination of Nicole Nason to be the administrator of the Federal Highway Administration. Nason recently served as assistant secretary of state for administration in the current administration. Prior to this, she was the administrator of the National Highway Traffic Safety Administration from 2006 to 2008 in the Bush administration. During her confirmation hearing, Nason discussed her involvement in working with Congress to find a solution to the Highway Trust Fund's solvency, reauthorization of the FAST Act, and investigating how US DOT can best implement new transit technologies, such as automated vehicles.

Buy American Executive Order

The President signed an Executive Order (EO) to expand Buy American requirements. Note that there is a difference between Buy America and Buy American in this EO, however, in the President's April 2017 EO the term used (Buy American) applied to both. We were informed that US DOT attorneys are evaluating its applicability to all modal administrations. The order directs agencies to encourage recipients to meet Buy American requirements. The expanded directive could impact construction projects, grant programs, etc., depending on its scope.

Grant Opportunities

USDOT released a NOFO for \$60 million in Automated Driving System (ADS) Demonstration grants. This NOFO is to provide grants to fund planning, direct research, and demonstration grants for the research and development of ADS. Preference will be given to proposed projects for level 3 or greater automation technologies. Applications are due March 21st.

FTA, and the Center for Urban Transportation Research are accepting applications for transit bus automation partnerships with up to \$500,000 in federal funding to be awarded. FTA/CUTR will partner with organizations that are conducting transit bus automated research, such as pilot demonstration projects, or are planning to do so in the near future. The goal of this program is focused on knowledge transfer, disseminating research findings (related to the pilot demonstration project) to the broader transit community. Applications are due March 1st.