



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

MEETING DATE: September 17, 2021

AGENDA ITEM 7.2

From: Bill Thomas, Executive Director

Monthly update/messages from RTC Executive Director Bill Thomas on federal matters related to the RTC – *no action will be taken on this item.*

ATTACHMENT

- A. Written report prepared by Cardinal Infrastructure and Thompson Coburn

Federal Update for the Regional Transportation Commission of Washoe County
Prepared by Cardinal Infrastructure and Thompson Coburn
September 17, 2021 Board Meeting
Prepared September 10, 2021

Bipartisan Infrastructure Bill

On August 10, 2021, the Senate voted 69-30 to pass the bipartisan infrastructure bill, the Infrastructure Investment and Jobs Act, which includes reauthorization of the Surface Transportation Program. Senators Cortez Masto and Rosen both voted in favor of the package. The House has set a deadline of September 27th to vote on the Senate's bipartisan infrastructure package.

The infrastructure bill provides \$1.2 trillion in spending over five years; of which, \$550 billion is new federal investments. The bill provides \$91.2 billion in funding for the Federal Transit Administration over five years, of which \$40.4 billion is “above baseline” spending increases provided by the bill. The \$91.2 billion is made up of \$69.9 billion in contract authority and \$21.3 billion in general fund appropriations (which largely funds the Capital Investment Grant program). The bill also authorizes an additional \$15.75 billion in supplemental appropriations from general revenues for FTA over the next five fiscal years.

Budget Reconciliation

Senate Democrats passed a \$3.5 trillion budget resolution with reconciliation instructions. Reconciliation is a process that directs committees to, among other things, report legislation that changes spending or generates revenues in accordance with reconciliation instructions issued by the Budget Committees. The process also affords the opportunity for the Senate to pass the reconciliation legislation without the threat of a filibuster and by a simple majority, compared to 60 votes required to overcome a filibuster.

An August 9, 2021 memorandum issued to Democratic Senators on the FY 2022 Budget Resolution Agreement Framework provides instructions of \$332 billion to the Senate Committee on Banking, Housing, and Urban Affairs, as well as \$67 billion to the Senate Committee on Environment and Public Works – addressing “...investments in CDBG, zoning, land use, and transit improvements...,” as well as “[i]nvestments in clean vehicles.” The reconciliation instructions also direct the Senate Committee on Finance to advance “[c]lean energy, manufacturing, and transportation tax incentives.”

With respect to mandatory spending, the reconciliation bill would result in approximately \$41 billion in additional transportation funding (above baseline and not counting the bipartisan infrastructure bill funding). It remains to be seen how this \$41 billion will be distributed, considering the President’s assurance to Senators that the reconciliation bill will not direct spending on physical infrastructure addressed (or purposefully not addressed) in the Senate bipartisan Infrastructure Investments and Jobs Act.

On August 24th, the House adopted, by a vote of 220-212, the budget resolution with reconciliation instructions, providing committees with a non-binding deadline of September 15th (same as the Senate) to report legislation for the reconciliation package. The budget was “deemed” adopted upon passage of the House rule and provides for debate and a vote on the Senate bipartisan infrastructure bill by September 27th.

According to reports, it is anticipated that Senate Democrats will bypass the standard committee process and intentionally miss the September 15th deadline. This enables Senate Majority Leader Schumer to assemble Democratic Caucus priorities outside the committee process and bring the reconciliation bill directly to the floor for a vote. The House Committees are moving forward with their markup of the reconciliation package, with the House Transportation and Infrastructure Committee rumored to markup on September 12th.

While the budget resolution allows for up to \$3.5 trillion in spending, some Democrats, including Senator Manchin (D-WV) and Senator Sinema (D-AZ), as well as House moderate Democrats, have expressed they will not vote for a package of that size; leading to the possibility of the bill being paired down.

Budget Reconciliation Funding Request

On August 30th, APTA sent a letter to congressional leadership alongside 45 coalition partners, urging the inclusion of at least \$10 billion of additional public transit funding in the budget reconciliation bill, as well as dedicated high-speed rail funding.

The additional \$10 billion is intended to meet the original commitment in funding levels from the White House-Senate bipartisan infrastructure framework. The letter states, "Providing this additional \$10 billion of public transit funding will honor the commitment of the Bipartisan Infrastructure Framework agreed upon by President Biden and Senate Republicans on June 24, 2021."

Capital Investment Grant Program

The Federal Transit Administration issued a Request for Information on the Capital Investment Grants Program. Specifically, FTA seeks input on evaluation measures and data sources that can better capture the benefits and costs of transit and how the CIG program can facilitate outcomes that maximize those benefits.

Comments should be submitted on or before October 13th. Feedback is requested for the below areas, but any additional feedback on the CIG program, including topics not listed, can be submitted.

- CIG process
- Economic development criterion
- Land use criterion
- Environmental benefits criterion
- Cost effectiveness criterion
- Mobility improvements
- Capacity needs Congestion relief
- Resiliency and futureproofing
- Local financial commitment

Transportation Mask Mandate

The Transportation Security Administration (TSA) has extended the face mask requirement for all transportation networks, including public transportation, through January 18, 2022. The previous TSA mask order was set to expire on September 13, 2021.

The Centers for Disease Control and Prevention (CDC) order requires face masks be worn by all travelers on airplanes, ships, trains, subways, buses, taxis and ride-shares and at transportation hubs such as airports, bus or ferry terminals, train and subway stations, and seaports (though no longer required in outdoor transit hubs or spaces). The extended CDC mask order has no expiration date.

Vaccination Requirement

The President announced that "the Department of Labor is developing an emergency rule to require all employers with 100 or more employees, that together employ over 80 million workers, to ensure their workforces are fully vaccinated or show a negative test at least once a week." The President further stated that, "The Department of Labor will require employers with 100 or more workers to give those workers paid time off to get vaccinated."