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LEGISLATIVE Alert

AMERICAN PUBLIC TRANSPORTATION ASSOCIATION



July 18, 2017

House Appropriations Committee Marks Up Fiscal Year (FY) 2018 Funding Bill

On Monday night, the House Appropriations Committee marked up the FY 2018 transportation funding bill, after adopting only one amendment to the base bill. Last week, the bill was marked up by the Subcommittee on Transportation, Housing, and Urban Development and Related Agencies (THUD) without amendments. The full committee approved the bill by a vote of 31 to 20. It is unclear when the bill will go to the House Floor, or whether it would go to the full House as a stand-alone bill or as part of an omnibus appropriations measure.

Like the bill approved by the subcommittee, the measure provides a total of \$11.752 billion in FY 2018 for public transportation programs administered by the Federal Transit Administration (FTA). It fully funds FAST Act formula programs from the Mass Transit Account of the Highway Trust Fund at \$9.733 billion, and provides \$150 million for WMATA under a separate authorization. The bill funds the Capital Investment Grant (CIG) general fund program at \$1.753 billion, \$549 million below the amount authorized under the FAST Act. Under the CIG program, the bill sets specific funding levels for new starts, small starts, and core capacity projects, and it also provides \$400 million for a joint public transportation and intercity passenger rail project that is intended to go to the Gateway project. Separately, under the Federal Railroad Administration (FRA) Federal State Partnerships for State of Good Repair Grants, the bill provides another \$500 million, which is also intended for the Gateway project.

The bill also includes statutory language directing the U.S. Department of Transportation to include a new starts report with the President's FY 2019 budget that includes CIG project allocations and to administer the CIG program in accordance with current law. In addition to the statutory language on the CIG program, the committee report accompanying the bill includes more specific language directing the Secretary to advance CIG projects through the project development and ratings process, and to negotiate within time limits construction grant agreements on projects that receive medium ratings or higher, and to enter into full funding grant agreements for new fixed guideway and core capacity projects, or grant agreements for small start projects, after completion of a congressional notification period. The committee has made available accompanying report language, [which can be viewed here](#).

While multiple amendments were offered during the mark up, only one amendment was approved. That amendment reallocated \$3 million from the Office of the Secretary to the Saint Lawrence Seaway. The committee rejected an amendment offered by THUD Subcommittee Ranking Member David Price (D-NC) that would have added \$200 billion to infrastructure spending in FY 2018. The amendment included no offsetting cut, and it therefore would have exceeded the subcommittee's spending allocation by the \$200 billion it proposed to provide.

FTA Announces \$226.5 Million in Bus and Bus Facility Competitive Grants

The Federal Transit Administration (FTA) announced the opportunity to apply for approximately \$226.5 million in Fiscal Year (FY) 2017 funds under Grants for Buses and Bus Facilities Infrastructure Investment Program. The deadline to apply for these grants is August 25, 2017. For more information on how to apply, [please click here](#).

House Budget Committee Releases FY 2018 Budget Resolution

On Tuesday, the House Budget Committee Republicans released *Building A Better America*, their FY 2018 Budget Resolution. The committee states it "balances the budget within 10 years by cutting

spending, reforming government, and growing the economy. The budget produces a \$9 billion surplus in fiscal year 2027.”

Unfortunately, the Resolution proposes phasing out the CIG program, which APTA strongly opposes. If adopted by both the House and the Senate, budget resolutions set top-line funding levels for the Committees on Appropriations and outline legislative goals for the year. Even if approved, directives to phase out the CIG program would require subsequent Congressional action. In fact, the House Committee on Appropriations have preemptively rejected this proposal in its FY 2018 Transportation-HUD spending bill.

The Budget Committee is expected to consider the Resolution tomorrow, with potential action on the House floor next week. It is unclear whether the measure has sufficient support to pass the full House.

House Appropriations Committee Marks Up FY 2018 Department of Homeland Security Funding Bill

Also on Tuesday, the full House Appropriations Committee marked up the funding bill for the Department of Homeland Security. As this Legislative Alert went out, the Transit Security Grant Program was funded at a level of \$90 million, up \$2 million enacted levels from FY 2017. Additionally, Urban Area Security Initiative grants were funded at a level of \$630 million, up \$25 million from enacted levels for FY 2017. If there are any changes in the base bill from the markup, we will be sure to note them in a subsequent Legislative Alert.

Reminder: Comments on Regulatory Reforms Deadline Approaching

The Trump Administration as well as the Congressional Committees with whom we deal have been looking for ways to reduce regulatory burdens and streamline the federal process. These reforms include ways to minimize regulatory delays, input on streamlining by stakeholders. For more details on these reforms and instructions for submitting your feedback, [please click here](#). The deadline for these comments is Friday, July 21, 2017.

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