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May 16, 2018

House Committee Action on Transportation Appropriations Bill

Tonight (May 16), the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies (THUD) of the House Committee on Appropriations marked up the [fiscal year \(FY\) 2019 THUD Appropriations bill](#).

The House THUD Appropriations bill builds on the historic public transportation and passenger rail investments made in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018 (“2018 THUD Appropriations Act”) (P.L. 115-141, Division L). The bill provides **\$16.5 billion** for public transportation and intercity passenger rail, including **\$13.6 billion** for public transportation and **\$2.9 billion** for intercity passenger rail. The total FY 2019 public transportation and intercity passenger rail funding levels are **\$203 million** more than the historic investments provided earlier this year and **\$2.5 billion** more than provided in FY 2017.

The Full Committee on Appropriations is likely to consider this bill next week. In addition, the Senate Committee on Appropriations is expected to begin the process of considering its THUD Appropriations bill in early June.

CALL TO ACTION

We strongly encourage you to contact Members of the House Committee on Appropriations and other Members of Congress and urge them to support the increased funding levels provided in the House THUD bill for public transportation and intercity passenger rail. In addition, we urge Congress to identify additional resources to further increase funding for these critical infrastructure investments in our Nation’s bus and rail systems.

Public Transportation

The House THUD Appropriations bill provides **\$13.6 billion** for public transportation, including both formula and competitive grants administered by the Federal Transit Administration (FTA). This funding level is **\$141 million** more than FY 2018 funding levels and **\$1.1 billion** more than authorized by the Fixing America’s Surface Transportation Act (FAST Act) (P.L. 114-94) for FY 2019.

Similar to the 2018 THUD Appropriations Act, the bill provides **additional funding above the FAST Act’s FY 2019 authorized levels** for several APTA priorities, including:

- Bus and Bus Facilities Competitive Grants (\$350 million) (including \$50 million for No and Low Emission Bus Competitive Grants);
- State of Good Repair Grants (\$200 million);
- Urbanized Area Formula Grants (\$150 million);
- Rural Area Formula Grants (\$50 million); and
- Capital Investment Grants (CIG) (\$312 million).

The THUD Appropriations bill provides **\$2.6 billion** for CIG projects, **\$1.6 billion** more than the Administration's request (which proposed no funding for new CIG projects). In addition, the bill includes a provision requiring FTA to obligate 85 percent of the CIG funds by December 31, 2020, and instructs the agency to use almost 60 percent of CIG funds on new projects that do not have existing full funding grant agreements.

Finally, the bill includes a provision (sec. 165) that prohibits any transit funding to be used to procure any transit, passenger rail, or freight rail asset from an entity that is owned, directed, or subsidized by a country identified as a priority watch list country by the United States Trade Representative and is subject to monitoring under section 306 of the Trade Act of 1974 (19 U.S.C. 2416) (i.e., China). APTA staff is reviewing the effect of this provision.

Intercity Passenger Rail

The House THUD Appropriations bill provides **\$2.9 billion** for intercity passenger rail grants administered by the Federal Railroad Administration (FRA). This funding level is **\$62 million** more than FY 2018 funding levels and **\$617 million** more than authorized by the FAST Act for FY 2019.

The bill provides \$1.94 billion for Amtrak for FY 2019, including \$1.3 billion for the National Network and \$650 million for the Northeast Corridor. The bill also provides \$300 million for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) grants, and sets aside one-half of this amount (\$150 million) for implementation of positive train control (PTC). Commuter railroads are specifically eligible for these CRISI PTC grants. In addition, the bill provides \$500 million for the Federal-State Partnership for State of Good Repair grants.

Finally, the THUD Appropriations bill includes a provision (sec. 152) that prohibits any THUD funding to be used for California high-speed rail. It also prohibits any funding to administer the tapered match agreement between FRA and the California High Speed Rail Authority.

TIGER/BUILD

The THUD Appropriations bill provides **\$750 million** for TIGER/BUILD grants, including \$250 million that is specifically provided for large, metropolitan communities (urbanized areas with a population of more than 200,000). Although \$750 million funding level is only one-half of the amount provided in FY 2018 for TIGER/BUILD grants, historically, the House has not provided any funding for the TIGER program during its consideration of the THUD Appropriations bill. The Senate is the primary advocate for funding TIGER/BUILD grants in the bill.

The following [table](#) provides specific information on the public transportation and intercity passenger rail funding provided in the House THUD Appropriations bill.

Programs	FY 2018 THUD Appropriations Enacted (P.L. 115-141)	FY 2019 President's Budget Request	FY 2019 FAST Act Authorized (P.L. 114-94)	FY 2019 House THUD Appropriations (H.R. ____)	H.R. ____ Increase/(Decrease) from FY 2018 THUD Appropriations Enacted
Public Transportation					
Formula Programs					
Urbanized Area Formula Grants	\$4,726,907,174	\$4,827,117,606	\$4,827,117,606	\$4,977,117,606	\$250,210,432
State of Good Repair Formula Grants	2,993,703,558	2,638,366,859	2,638,366,859	2,838,366,859	(155,336,699)
Rural Area Formula Grants	645,634,578	659,322,031	659,322,031	709,322,031	63,687,453
Growing States/High-Density States Formula Grants	582,783,547	561,315,120	561,315,120	611,315,120	28,531,573
<i>Growing State</i>	<i>286,132,747</i>	<i>293,311,066</i>	<i>293,311,066</i>	<i>293,311,066</i>	<i>7,178,319</i>

<i>Apportionments</i>					
<i>High-Density State Apportionments</i>	296,650,800	268,004,054	268,004,054	318,004,054	21,353,254
Bus and Bus Facilities Formula Grants	654,623,476	454,964,489	454,964,489	454,964,489	(199,658,987)
Seniors and Individuals with Disabilities Formula Grants	273,840,764	279,646,188	279,646,188	279,646,188	5,805,424
Planning Formula Grants	136,200,310	139,087,757	139,087,757	139,087,757	2,887,447
Competitive Programs					
Capital Investment Grants	\$2,644,960,000	\$1,000,000,000	\$2,301,785,760	\$2,613,650,000	(\$31,310,000)
Bus and Bus Facilities Competitive Grants	492,410,000	322,059,980	322,059,980	672,059,980	179,649,980
<i>No and Low Emission Bus Competitive Grant Program</i>	84,450,000	55,000,000	55,000,000	105,000,000	20,550,000
Transit-Oriented Development Pilot Program	10,000,000	10,000,000	10,000,000	10,000,000	0
Technical Assistance and Workforce Development	14,000,000	9,000,000	14,000,000	14,000,000	0
Washington Metropolitan Area Transit Authority	150,000,000	120,000,000	150,000,000	150,000,000	0
Administrative Expenses and Other Programs	155,415,000	150,242,260	173,516,543	151,665,000	(3,750,000)
Public Transportation Total	\$13,480,478,407	\$11,171,122,290	\$12,531,182,333	\$13,621,195,030	\$140,716,623
Intercity Passenger Rail					
Amtrak Grants	\$1,941,600,000	\$737,897,000	\$1,700,000,000	\$1,941,600,000	\$0
<i>Northeast Corridor Amtrak Grants</i>	650,000,000	200,000,000	557,000,000	650,000,000	0
<i>National Network Amtrak Grants</i>	1,291,600,000	537,897,000	1,143,000,000	1,291,600,000	0
CRISI Grants	592,547,000	0	255,000,000	300,000,000	(292,547,000)
<i>Positive Train Control CRISI Grants (including Commuter Rail)</i>	250,000,000	0	0	150,000,000	(100,000,000)
Federal-State Partnership for State of Good Repair	250,000,000	0	300,000,000	500,000,000	250,000,000
Restoration and Enhancement Grants	20,000,000	0	20,000,000	0	(20,000,000)
RRIF Credit Subsidy	25,000,000	0	0	0	(25,000,000)
Maglev Technology Deployment Program	0	0	0	150,000,000	150,000,000
Intercity Passenger Rail Total	\$2,829,147,000	\$737,897,000	\$2,275,000,000	\$2,891,600,000	\$62,453,000
Public Transportation and	\$16,309,625,407	\$11,909,019,290	\$14,806,182,333	\$16,512,795,030	\$203,169,623

Intercity					
Passenger Rail					
Grand Total					

FRA Positive Train Control Grant Notice of Funding Opportunity

On May 15, the FRA issued a Notice of Funding Opportunity (NOFO) for \$250 million in PTC grants made available under the CRISI program, in accordance with the 2018 THUD Appropriations Act. Commuter railroads are specifically eligible to apply for these CRISI PTC grants. During the FY 2018 appropriations process, APTA worked extensively to secure PTC-specific funding and expand the eligibility of the CRISI grant program to include commuter railroads. Applications for PTC grants are due no later than 45 days after the date of publication in the Federal Register (anticipated to be May 18). The NOFO, as submitted to the Federal Register, can be found [here](#).

Senate Banking Committee Action on Nomination of the Honorable Thelma Drake as Administrator of the Federal Transit Administration

On May 15, the Senate Committee on Banking, Housing, and Urban Affairs approved President Trump's nominee to be FTA Administrator, the Honorable Thelma Drake, by a vote of 24-1. Senator Robert Menendez opposed her nomination. Her nomination will now proceed to consideration by the full Senate. Before becoming the City of Norfolk's Assistant Director of Transportation, Ms. Drake represented the Norfolk area in both the U.S. House of Representatives and the Virginia House of Delegates. President Trump nominated Ms. Drake on February 13, 2018.

American Public Transportation Association
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