



## Policy Update

December 5, 2022

**Lame Duck Session** – Members have returned to Washington. Both the House and Senate must pass funding legislation before the current continuing resolution expires on December 16th. Leadership and the top Appropriators are meeting to hash out the overall funding levels for defense and nondefense programs. Once there is agreement on those numbers, they must finalize the individual 12 appropriations bills. The National Defense Authorization Act is one of the biggest items that will be considered in the lame duck session. The Senate will also spend time considering the nominations of over forty federal judiciary appointees. While not a certainty, the issue of the debt limit may also be considered. Both chambers of Congress passed legislation to prevent a shutdown of Railroad industry that would cost the U.S. an estimated \$2 billion per day. The President signed the bill in to law.

Both parties have also spent time filling their leadership positions and selecting committee assignments for members. The majority of House Republicans voted to support Rep. McCarthy's (R-CA) bid to become the next Speaker of the House, but he will need a majority of the whole House in January to officially become the next Speaker of the House. He is short votes due to opposition from some more conservative members. Assuming no Democrats support him and given the narrow majority of 220 (maybe 222) - 213 he will need to attract almost all the 36 Republicans who opposed him in the Republican-only vote. The current Speaker of the House, Nancy Pelosi (D-CA), has stepped down from her top leadership spot allowing younger members of her caucus to step into the leadership positions. House Republican and Democrat Committee assignments will be announced later in December. The Senate majority will remain in Democrat hands regardless of the outcome in the Georgia runoff in December.

**Looking ahead to the 118<sup>th</sup> Congress** – Hopefully the 117<sup>th</sup> Congress will have completed its work (the FY23 Budget) and the new Congress can move forward with its own agenda. Some key dates in the next year:

- January 3, 2023 - Scheduled date for 118th Congress convening and election for House Speaker.
- February 6, 2023 – President is required to send Congress his budget request.
- Transportation related – September 30, 2023, the current FAA authorization expires.

**IJA GRANTS** – We are still waiting for the grant awards for the MEGA projects program and the bridge and large bridge awards under the Bridge Investment Program. We also

anticipate the \$7.2 billion State-Federal Intercity Passenger Rail grant program will be noticed in the Federal Register before the end of the year.

**RAISE Grants:** The USDOT published a NOFO for the FY 2023 RAISE Grant program [available here](#).

Details of interest in the NOFO are:

- A total of \$1.5 billion is available for the FY 2023 RAISE grant program
- Applications must be submitted by 11:59:59 PM Eastern on **February 28, 2023**
- The minimum RAISE grant award is \$5 million, except that for projects located in rural areas, the minimum award size is \$1 million
- Grants may not be greater than \$25 million
- RAISE grants shall be awarded equally to projects in rural and urban areas (or \$750 million in each)
- Eligible applicants include:
  - States and the District of Columbia
  - Any territory or possession of the United States
  - A unit of local government
  - A public agency or publicly chartered authority established by 1 or more States
  - A special purpose district or public authority with a transportation function, including a port authority
  - A federally recognized Indian Tribe or a consortium of such Indian Tribes
  - A transit agency
  - A multi-State or multijurisdictional group of entities
- The Federal share of the costs of an eligible project (total federal funding, not just the RAISE grant funding) shall not exceed 80 percent unless the project is located in a rural area, a historically disadvantaged community (HDC), or an area of persistent poverty (APP)
- The Department will evaluate projects based on:
  - Safety
  - Environmental sustainability
  - Quality of life
  - Mobility and community connectivity
  - Economic competitiveness and opportunity to include tourism opportunity
  - State of good repair
  - Partnership and collaboration
  - Innovation.
  - Demonstrated project readiness
  - Cost effectiveness

**Nominee for the FHWA Administrator position advances in the Senate.** The Senate Environment and Public Works Committee voted to approve Shailen Bhatt's nomination for FHWA administrator. Bhatt's nomination was approved by voice vote. The nomination now heads to the full Senate for final confirmation.

[Grants | US Department of Transportation](#)

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