



The National Beat

November 2nd, 2023

Federal Updates

On November 1st, both the House and Senate progressed on their respective spending bills, now moving toward discussion to reconcile the differences between their versions. The House approved the Legislative Branch bill, marking the sixth out of its 12 bills, predominantly with GOP support. Concurrently, the Senate ratified a “minibus” appropriations bill covering Military Construction-VA, Agriculture, and Transportation-HUD (T-HUD) with a broad 82-15 bipartisan majority. AMPO will continue tracking updates related to the T-HUD bill and provide an analysis on the outcome to members following reconciliation.

On November 1st, the EPA announced the Community, Equity & Resiliency initiative to assist communities in accessing resources for local climate and environmental justice solutions, made available through the Inflation Reduction Act ([read here](#)). This initiative aims to facilitate community-driven partnerships and provide resources, particularly in disadvantaged communities. EPA will host a National Virtual Open House from November 6th to 14th, featuring discussions on various environmental topics and funding opportunities. Additionally, upcoming Regional Roadshow events will provide community leaders with opportunities to collaborate and generate ideas related to these programs.

On October 25th, Mike Johnson, a fourth-term representative from Louisiana, was elected as the Speaker of the House. He secured 220 votes, more than the 215 needed, on the House floor. This victory follows a period of uncertainty in the House after the removal of former Speaker Kevin McCarthy and the failure of three other speaker candidates. Johnson is known for his conservative positions on issues. House GOP leadership remains largely unchanged, with Steve Scalise as majority leader, Tom Emmer as majority whip, and Elise Stefanik as GOP conference chair. The role of Vice Chair for the GOP conference, vacated by Johnson, is currently open, with several members considering running for the position.

On October 25th, the Senate Committee on the Budget discussed climate change's effects on supply chains ([read here](#)). Witnesses testified about the vulnerabilities of U.S. supply chains to climate change impacts, such as disruptions in waterways and crop production. While some expressed skepticism, others emphasized the need to prepare for these challenges. The hearing also touched on energy security and cyber threats. Senator John Kennedy sought cost estimates for achieving net-zero emissions, highlighting the complexities of such predictions.

On October 20th, the EPA closed a loophole that allowed industries to avoid reporting small releases of “forever chemicals,” known as PFAS ([read here](#)). Under a newly finalized rule, facilities will no longer be exempt from reporting small quantities of PFAS released during processes like manufacturing and mining. The rule designates PFAS as “chemicals of special concern” to be reported to the Toxics Release Inventory, requiring facilities to share data on PFAS releases that exceed very low thresholds. This move is seen as a victory for public health and a step toward addressing the issue of PFAS exposure. Critics had raised concerns about the previous exemption, which hindered accurate reporting of PFAS emissions.



USDOT

On November 1st, FHWA released the 2022 Urban Congestion Trends report ([read here](#)). The report details congestion and reliability measure trends in 52 of the largest urbanized areas across the US. The report showed varied traffic measures, with patterns aligning more with 2021 and nearing pre-COVID-19 levels. While congestion duration across MSAs decreased compared to 2021, rush-hour travel times slightly increased. Continued data collection reveals a potential new norm, with noticeable congestion improvements since before the pandemic.

On October 31st, FTA issued interim guidance to implement a new provision from the National Defense Authorization Act for Fiscal Year 2022 (NDAA) that affects the disposition of assets acquired or improved with federal assistance for TOD that includes affordable housing ([read here](#)). Under this provision, FTA recipients can transfer assets to local governmental authorities, nonprofit organizations, or third-party entities for TOD and affordable housing without further obligations to the Government. To use this provision, certain criteria must be met, including the asset's necessity for the TOD project, an increase in transit ridership, affordability restrictions on housing units, a 30-year minimum use requirement, and FTA approval. Assets disposed of before December 27, 2021, cannot use this provision, but other options may be available. The guidance also offers clarity on defining TOD, asset criteria, compliance monitoring, and other related aspects, aiming to assist FTA recipients in utilizing these new disposition options effectively for TOD and affordable housing projects.

On October 27th, USDOT announced it granted \$82.6 million in SS4A grants to 235 communities ([read here](#)). These grants support safety planning and demonstration projects in local and regional communities, aiming to reduce roadway fatalities and serious injuries. The grants empower communities to enhance road safety and save lives, complementing the Department's National Roadway Safety Strategy. Additional SS4A awards focused on the implementation of safety projects are expected to be announced in December, and the next round is expected to open in February 2024.

On October 27th, Eno Transportation Weekly reported that highway construction costs in the US saw a 2.7% increase in the first quarter of 2023, reflecting an annualized rise of 10.8 percent, according to the National Highway Construction Cost Index (NHCCI) ([read here](#)). Since December 2020, construction costs have surged by 53.7%. The increase was primarily attributed to higher concrete costs (35%) and increased grading and excavation expenses (30%), while asphalt costs contributed to a smaller portion of the increase (12%). The report suggests that factors such as labor, transportation, or pricing may be driving the asphalt construction cost rise rather than the material itself. Traffic control costs decreased during this period, possibly indicating some labor market stabilization. FHWA hopes that the NHCCI's rate of increase may slow down in the next two quarters, following the trend of other producer price indices. Despite \$132.6 billion in new contracts recorded by FHWA in FY 2021, 2022, and the first half of FY 2023, the real buying power of these contracts has been eroded by cost inflation, resulting in a significant loss of highway purchasing power since December 2020, amounting to \$28 billion and rising.

On October 26th, FHWA announced a \$40 million grant opportunity designed to advance connected and interoperable vehicle technologies, with a focus on enhancing road safety and efficiency ([read here](#)). This initiative, known as the "Saving Lives with Connectivity: Accelerating V2X Deployment," aims to facilitate communication between vehicles and wireless devices, as well as roadside infrastructure, to provide warnings and improve overall road safety.



On October 24th, USDOT announced it has initiated a strategic partnership with Kansas City, Missouri, to bolster innovative infrastructure development and financing, focusing on projects worth over \$15 billion ([read here](#)). This collaboration, known as the Emerging Projects Agreement, aims to enhance mobility, connectivity, safety, and equity in the region. One key project includes an east-west Streetcar extension to connect underserved communities with essential services and opportunities. The partnership will explore various financing mechanisms, including low-interest rate financing options, to support these critical initiatives.

On October 24th, USDOT released an FAQ document on the eligibility of Transit-Oriented Development (TOD) projects for credit assistance under the Transportation Infrastructure Finance and Innovation Act (TIFIA) and Railroad Rehabilitation & Improvement Financing (RRIF) programs ([read here](#)). It clarifies the criteria and analyses used by the Build America Bureau to determine eligibility. Additionally, the White House has unveiled a plan to address the increasing number of vacant commercial buildings in the U.S. To combat this issue and the ongoing housing crisis, the Biden Administration proposes converting unoccupied commercial spaces into residential units. They have released a guidebook outlining federal programs, including USDOT's TIFIA and RRIF programs, which offer below-market interest rate loans and guarantees for transit-oriented development. Additionally, the Neighborhood Access and Equity Program, funded by the Inflation Reduction Act, provides grants for transportation and land use improvement projects. These initiatives aim to tackle both the commercial vacancy problem and housing shortages while emphasizing energy efficiency and greenhouse gas reduction.

Congressional Hearings, Meetings, & Markups

- On [Wednesday, October 25th at 10:00 AM](#): The Senate Budget Committee held a hearing on threats to supply chains from climate-related impacts.
- On [Tuesday, October 24th at 10:00 AM](#): The House Transportation and Infrastructure Subcommittee on Water Resources and Environment held a hearing on past Water Resource Development Acts and anticipated future needs.

National Transportation News

On October 26th, after a six-week strike, thousands of Ford employees returned to work and are now considering a proposal that could boost their wages by around 25 percent. The United Auto Workers (UAW) has stated that workers will resume their assembly line duties during the ratification process, particularly at Ford's Kentucky Truck facility, the largest Ford plant affected by the strike, where the production of high-profit SUVs and trucks is expected to restart promptly. This tentative agreement with Ford is seen as a model for negotiations with GM and Stellantis, who are still in talks with the UAW. While the final ratification by rank-and-file workers is pending, achieving these agreements could ease concerns for the White House.

Amtrak is considering a partnership with Texas Central to potentially operate a high-speed rail line between Dallas and Houston, reaching speeds of up to 205 mph. This partnership could leverage Amtrak's extensive rail experience and land acquisition capabilities with Texas Central's existing funding and identified route. Amtrak is well-funded after receiving a substantial allocation of \$66 billion from the IJA. This potential venture could redefine Amtrak's role and modernize intercity rail service outside the



Northeast Corridor, allowing it to compete with cutting-edge transportation technologies. While the details of the partnership are yet to be revealed, it could serve as a real-world demonstration of high-speed rail and potentially garner support for similar projects nationwide.

NOFOs

Upcoming

FHWA plans to release a NOFO in mid to late November for the Prioritization Process Pilot Program (PPPP). The program will support data-driven approaches to planning.

FHWA plans to release a NOFO later in 2023 for a new initiative, the Active Transportation Infrastructure Investment Program (ATIIP) ([learn more here](#)). ATIIP will fund projects to establish or extend active transportation networks and will offer two types of grants: Planning and Design, and Construction. Approximately \$45 million is allocated for ATIIP in FY23.

The Build America Bureau has announced a \$38.8 million Innovative Finance and Asset Concession Assistance Program for fiscal years 2022-2023 ([learn more here](#)). A NOFO is expected later in 2023.

Learn about federal grants available to MPOs and key NOFO information in AMPO's NOFO Tracker ([access here](#)). The Tracker is available on ampo.org under the "Resources" drop down.