



The National Beat

October 5th, 2023

Federal Updates

On October 3rd, in an unprecedented event, the House of Representatives voted to remove its speaker, Kevin McCarthy ([read here](#)). McCarthy's recent actions, notably regarding a spending bill without certain conservative measures, fueled conservative resistance, marking the first successful ousting of a House speaker. The concluding vote stood at 216-210, with many Democrats uniting with eight Republican Representatives. The House Clerk declared Patrick McHenry as the acting speaker, following the removal of McCarthy. As the speaker pro tempore, McHenry possesses the full authority of an elected House speaker.

On September 30th, a federal government shutdown was narrowly averted when the Senate voted 88-9 to pass a stopgap spending bill and President Biden signed a temporary funding bill just before the midnight deadline ([read here](#)). The House of Representatives had earlier approved the extension with a vote of 335-91. The bill funds the federal government through November 17th and includes \$16 billion in emergency disaster assistance. It also extends the Federal Aviation Administration's authorization until the end of the year. Notably, the bill lacks additional aid for Ukraine, despite bipartisan support for such funding. The focus now shifts to the next funding deadline, as the stopgap measure only provides a short-term solution.

On September 28th, the Government Accountability Office announced targeted tracking of the spending rate of individual earmarks, a practice Congress resumed in 2021 after a ten-year hold ([read here](#)). As of the end of FY 2022, \$3 billion of the \$9.1 billion appropriated for earmarked projects had been legally obligated. Highway and airport projects within USDOT showed the highest obligation rates at 16.4% and 19.1%, respectively. The GAO's tracking effort aims to address concerns that earmarked projects often spend more slowly than other types of projects ([view obligation tables here](#)).

On September 19th, House Republicans unveiled a ten-year budget blueprint aimed at balancing the federal budget over a decade through steep cuts to discretionary and mandatory spending, new restrictions on social welfare programs, and optimistic projections for economic growth ([read here](#)). It is uncertain whether the plan will be put up for a floor vote, but its introduction could serve as a negotiating tool for other fiscal matters. The proposed budget seeks to reduce discretionary spending by \$4.6 trillion and mandatory spending by \$8.7 trillion over ten years, resulting in a projected small surplus of \$130 billion at the end of the period.

The plan is unspecific about where these cuts will come from but does indicate that mandatory spending on the Highway Trust Fund (HTF) and discretionary funding from IIJA advances would be impacted. For the HTF, the plan suggests a \$36 billion per year reduction in mandatory spending on transportation starting in 2027, coinciding with the expiry of the current IIJA. This reduction is aimed at forcing a solution to the Highway Trust Fund's fiscal imbalance. For IIJA discretionary programs, the plan implies that there will be no renewal of the advance



appropriations made by the IIJA, which are set to expire at the end of 2026. This leads to a 42% cut in new transportation funding authority starting in fiscal 2027 compared to the baseline set by the Congressional Budget Office.

On May 16th, the Biden-Harris Administration published a statement announcing a comprehensive strategy to tackle the housing crisis, targeting both affordable and single-family housing ([read here](#)). Initiatives include expanding the Low-Income Housing Tax Credit to finance over 800,000 rental units, rehabilitating public housing, and providing Indian Housing Block Grant funding for homes in Indian Country. To counter the influence of large investors in the single-family home market, the Administration is directing more FHA and Enterprise-defaulted assets towards owner-occupants and mission-driven entities. Concurrently, efforts are underway to address supply chain issues affecting building materials, promote innovative construction methods, and boost workforce development in the construction sector through increased funding for apprenticeships and calls for immigration reform.

USDOT

This week, FHWA will release a notice for the apportionment of Federal-Aid Highway Program funds for FY 2024 ([read here](#)). Once the official notice is posted, an updated link will be provided. The funds are available for obligation until September 30, 2027, and are subject to existing obligation controls. A total of \$54.608 billion is available for various programs, including the National Highway Performance Program, Surface Transportation Block Grant Program, and others. The allocation for each State is determined based on a series of statutory formulas and adjustments, and specific amounts are set aside for various sub-programs like Congestion Mitigation and Air Quality Improvement Program and Highway Safety Improvement Program. Certain states are subject to transfer or withholding penalties for non-compliance with specific requirements (e.g., open container laws). The tables in the notice break down allocations for each state across various programs. In a comparison between the FY 2023 and FY 2024 FHWA apportionments under the IIJA, the overall funding saw an increase from \$53.53 billion in FY 2023 to about \$54.61 billion in FY 2024.

On October 3rd, Transportation Secretary Pete Buttigieg introduced the USDOT Climate and Transportation Research Initiative with an initial funding of \$2.5 million ([read here](#)). This initiative aims to form a partnership between the USDOT and either a university or other qualified organizations to spearhead research to address the country's climate and transportation issues. The initiative supports the creation of the Climate and Transportation Research Center, which will promote research and technological advancements to achieve the Nation's clean energy aspirations, enhance the resilience of its transportation infrastructure, and mitigate the environmental consequences arising from the transportation system.

On September 25th, the FRA announced an investment of over \$1.4 billion, allocated from the IIJA, for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) program ([read here](#)). CRISI grants went towards seventy rail improvement projects in 35 states and Washington, D.C. The program addresses a range of rail-mobility related issues, including safety enhancements, bridge rehabilitations, and upgrades to routes carrying hazardous materials. ([view the 2022 CRISI awardees here](#)).



On September 22nd, USDOT released the FY 2024 Shutdown Plan Summary Overview ([read here](#)). Considering a potential government shutdown following the November 17th deadline, the plan anticipates that across all USDOT agencies, 18,744 employees could be furloughed. Overall, 17% of USDOT employees will work with pay, 49% will work without pay, and 34% will be furloughed. FHWA would continue as normal, with no expected furloughs for staff. USDOT has released a plan breaking down how various divisions will operate during the shutdown: some will function as normal due to their budget source, others will have limited budget authority, and a few will have none.

In the event of a government shutdown, certain departments, and functions within USDOT would continue to operate, specifically those funded by contract authority out of the Highway Trust Fund or by five-year "advance appropriations" from the General Fund. However, areas funded through annual appropriations may face furloughs. If funding authority for the Airport and Airway Trust Fund also lapses, the Federal Aviation Administration could see significant furloughs, disrupting aviation operations and could put additional strain on other modes of transportation.

On September 1st, the US Access Board published a fact sheet on notable changes in the public right-of-way accessibility guidelines final rule ([read here](#)). The rule itself was finalized on August 8th after reviewing over 600 public comments on its initial proposals from 2011 and revisions from 2013 ([read here](#)). Notable changes in the final rule include the removal of advisories, which are not mandatory, and the provision of guidance on the Board's website instead. The definition of "alteration" was modified to accommodate existing physical constraints. The final rule also does not specify the types of alterations that require the installation of accessible pedestrian signals. Additionally, it provides multiple options for crosswalk treatments at roundabouts and requires visual contrast on stair treads and landings for greater accessibility. The rule now also states slopes in both ratios and percentages, adds bypass provisions at certain blended transitions, and includes specific guidelines for on-street parking and passenger loading zones.

FHWA recently released a report on the Safe Systems Approach for speed management ([read here](#)). The report revealed that in 2021, speeding was a contributing factor in 29% of all roadway fatalities in America, marking an increase of 7.9% from the previous year. The report emphasizes the crucial role that speed plays in the severity of injuries and fatalities in crashes, particularly for vulnerable road users like pedestrians and cyclists. To improve road safety, the report introduces a five-stage framework focused on speed management within the Safe System Approach. This includes vision setting, data collection and analysis, location prioritization, countermeasure selection, and ongoing evaluation. The report also highlights successful case studies and key themes, such as the importance of strategic plans like Vision Zero, the use of speed and safety data to guide and gain public support for speed management programs, and the need for aligning speed limits and roadway designs to minimize injuries.

Congressional Hearings & Markups

- On [Thursday, October 5th at 10:00 AM](#): The Senate Commerce, Science, and Transportation Committee held a hearing on the nomination of Michael Whitaker to be the Federal Aviation Administrator.



National Transportation News

On September 28th, The Rand Corporation published a report on the budgetary effects of climate change and its potential influence on legislation ([read here](#)). The report discusses the far-reaching impact of climate change on the federal budget, emphasizing the need for more nuanced and comprehensive budget modeling. It argues that traditional budget analysis methods fail to fully capture the complexities and long-term impacts of climate change on spending and revenue. As climate hazards like heatwaves and floods become more frequent, federal spending on disaster relief, healthcare, and insurance is expected to rise, while revenues could fall due to reduced labor productivity. The report highlights the interplay between climate, federal policy, and the economy and offers recommendations to improve the modeling of these relationships. Specifically, it suggests the use of multi-faceted models that consider both human and natural systems, regional and demographic characteristics, and long-term timescales.

NOFOs

On September 27th, FHWA announced a NOFO for the Bridge Investment Program, offering up to \$9.62 billion in Large Bridge Project grants for fiscal years 2023-2026 ([access here](#)). Applications for funding in 2023 and 2024 are due by November 27th. These grants are aimed at bridge projects with total eligible costs exceeding \$100 million. The minimum grant award is \$50 million, and the maximum is 50% of total eligible project costs.

On September 13th, FHWA announced the availability of up to \$100 million in Federal funding through the Electric Vehicle Charger Reliability and Accessibility Accelerator program ([access here](#)). This funding is dedicated to the repair and replacement of existing, non-functional electric vehicle charging infrastructure. Multiple grants are intended to be awarded to eligible applicants. Only State departments of transportation and local governments can apply.

On September 12th, USDOT announced applications for the fiscal year 2023 Thriving Communities Program are now open ([read here](#)). Applicants are required to identify community partners and submit an LOI by November 15, 2023, to be considered for the program.

Upcoming

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.



USDOT announced \$1.5 billion for FY 2024 of the RAISE Program to fund various transportation projects ([learn more here](#)).

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.