



NEXT WEEK

The House is beginning its scheduled August recess after today's votes. House Members are expected to return in mid-August to consider the budget reconciliation bill, which the Senate hopes to pass at the end of next week. (See below for a discussion on the transportation provisions in the reconciliation bill.) At the end of next weekend, the Senate is expected to begin its August break. Both the House and Senate will return after Labor Day.

There are no transportation events planned next week.

THIS WEEK

FY 2023 Continuing Resolution. This week, House and Senate Appropriations Committee leaders acknowledged the need for a Continuing Resolution (CR) to fund the government past September 30. As noted below, the Senate has not yet passed of the 12 appropriations bills and will soon be leaving for the traditional August recess. The length of any CR will be announced in September.

Senate

FY 2023 Appropriations Bills Posted. On July 28, Senate Appropriations Committee Chairman Patrick Leahy (D-VT) posted the 12 funding bills for FY 2023, making public the Senate Democrats plans for the coming fiscal year. The bills are not expected to go through the normal Committee process but are the starting point for negotiations after the elections on final funding bills. Should the House or Senate majorities change with the mid-term elections, these funding levels could be modified significantly in the final FY 2023 bill.

The Transportation, Housing and Urban Development (THUD) bill includes 184 earmarks for transportation programs and the following highlights. The amounts below are in addition to the funds provided through the Infrastructure Investment and Jobs Act (IIJA):

- **RAISE Grants.** \$1.09 billion for the RAISE grant program, \$315 million more than FY 2022;
- **FAA AIP Grants.** \$3.867 billion for the Airport Improvement program (AIP), which includes \$517 million for supplemental AIP grants;
- **FAA Facilities and Equipment.** \$3.06 billion for FAA Facilities and Equipment, \$167 million more than FY 2022, to modernize the air traffic control system;

- **Federal-Aid Highway Grants.** \$3.2 billion from the general fund for the Federal Highway Administration, \$715 million more than FY 2022, to support additional funding for PROTECT grants for resiliency projects, tribal high priority projects, bridge formula funding, and the Appalachian Development Highway System;
- **Amtrak.** \$2.6 billion for Amtrak, \$269 million more than FY 2022, to support Amtrak operations across 30 train routes to over 500 destinations in 46 States;
- **Federal-State Rail Partnership Grants.** \$200 million for FRA's Federal-State Partnership for State-of-Good-Repair (SOGR) to fund the replacement, rehabilitation, or repair of major intercity passenger rail infrastructure;
- **CRISI Grants.** \$535 million for FRA's Consolidated Rail Infrastructure and Safety Improvement (CRISI) program, which can be used for a broad range of safety and capital projects such as stations or platforms, rail line relocation or improvement, highway-rail grade crossing improvement projects, and planning and environmental work;
- **FTA CIG Grants.** \$2.51 billion for FTA's Capital Investment Grants program, \$262 million more than FY 2022, to advance bus rapid transit and rail transit projects;
- **Bus/LoNo Grants.** \$527 million from the general fund for Transit Infrastructure Grants (TIG), \$22.8 million more than FY 2022, for additional investments into Bus and Bus Facilities, Low/No Emissions Vehicle Program, Areas of Persistent Poverty, ferry programs, and research to accelerate zero emission technology; and
- **Port Development Grants.** \$234 million for the Port Infrastructure Development program, equal to FY 2022, to provide planning and capital assistance to improve the efficient movement of commerce around our nation's congested ports.

Reconciliation Bill Unveiled. On July 27, Senate Majority Leader Chuck Schumer and Senator Joe Manchin announced they had reached agreement on the provisions of the budget reconciliation bill. Next week, Senate Democrats will attempt to pass this bill no Republican support, which will be a challenge in a 50-50 Senate and in the House, where Democrats have only a four-seat majority.

While most of the bill is focused non-transportation provisions, there are a number of provisions affecting the transportation sector:

- **Low Emission Aviation Technologies.** \$297 million is provided to the Department of Commerce to establish "a competitive grant program for eligible entities to carry out projects located in the United States that produce, transport, blend, or store sustainable aviation fuel, or develop, demonstrate, or apply low-emission aviation technologies." Most of these funds would be for projects relating to the production, transportation, blending, or storage of sustainable aviation fuel and about 16 percent to projects relating to low-emission aviation technologies.
- **Highway Neighborhood Access/Equity Grants.** \$3.05 billion is provided for three types of FHWA "neighborhood access and equity grants":
 - \$1.9 billion for competitive grants to remove, cap, lower, or slow down existing roads and bridges, and install projects such as complete streets and noise barriers (similar the Reconnecting Communities grant program in the IIJA)
 - \$1.1 billion for grants going to economically underserved communities, have an displacement policy, and have a local hiring plan.

- \$42 million for FHWA to provide technical assistance to communities trying to apply for the grants.
- **Project Environmental Review.** \$100 million is for FHWA for “facilitating the development and review of documents for the environmental review process for proposed projects, “whether by FHWA itself or via grants to state and local governments and MPOs.
- **Low Carbon Construction Materials.** \$2.0 billion to FHWA “to reimburse or provide incentives to eligible recipients for the use of low-embodied carbon construction materials and products in projects.
- **Zero Emission Heavy Vehicle Grants.** \$1.0 billion is provided to the EPA for grants for zero emission vehicles or installing zero-emission refueling/charging infrastructure and retrain the workforce to repair such vehicles. Vehicles eligible must have gross vehicle weight between 19,500 and 33,000 pounds.
- **Zero Emission Port Grants.** \$3.0 billion to EPA for grants to ports to purchase zero-emission port equipment or develop climate action plans.
- **Zero Emission Vehicle Tax Credits.** The current maximum tax credit for electric vehicle purchases is revised and continued at \$7,500 per vehicle. Hydrogen fuel cell vehicles are also made eligible for the credit, not just plug-in electric vehicles.
- **Alternative Fuels Tax Credit.** The bill would extend for three years, to the end of calendar 2024, the current tax credit for alternative fuels, including compressed natural gas.

Department of Transportation

DOT: Buy America RFI. On July 28, DOT published a Request for Information (RFI) on the “Construction Materials Used in Federal Financial Assistance Projects for Transportation Infrastructure in the United States under the Build America, Buy America Act”. In it are 16 questions that DOT is seeking input on and, while it does not say anything about exemptions, they are looking for more input on whether DOT can implement the Buy American provisions of the IIJA without unduly delaying projects. The RFI is [here](#).

FAA: Secondary Cockpit Door. On July 26, FAA issued a Notice of Proposed Rulemaking (NPRM) that would require secondary barriers on airplanes, intended to help protect the cockpit from passenger intrusion. In 2018, Congress mandated that the FAA review the need for the secondary cockpit barriers and then proposed rule would mandate that passenger aircraft manufactured two years after the date that the rule becomes effective have this secondary barrier. Comments are due in 60 days. The NPRM is [here](#).

FTA: All Stations Accessibility NOFO. On July 26, FTA published a Notice of Funding Opportunity (NOFO) for the All Stations Accessibility Program (ASAP). Some \$343 million in grant funds will be made available under this program for (1) capital projects to repair, improve, modify, retrofit, or relocate infrastructure of stations or facilities for passenger use; or (2) for planning projects to develop or modify a plan for pursuing public transportation accessibility projects. Grants are due by September 30. The NOFO is [here](#).

Government Accountability Office

Report: Air Travel and Communicable Diseases. On July 28, the Government Accountability Office (GAO) released a report on air travel and communicable diseases. GAO identified research conducted on

communicable diseases in air travel in several areas but concluded that no federal agency has undertaken efforts to advance research on communicable diseases in air travel more broadly. GAO concluded that Congress should consider directing FAA to develop and implement a strategy to identify and conduct research on communicable diseases in air travel, in coordination with appropriate federal agencies—such as DHS and HHS—and external partners. The report and summary are [here](#).

###