

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee**

December 8, 2023

Agenda Item 2b

Washington D.C. Legislative Update

Subject:

November 2023 Report from Washington, D.C. advocate.

Issues:

None identified.

Recommendations:

Information

Attachments:

- Attachment A: Summit Strategies Team Report – November 2023


Andrew B. Fremier



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Summit Strategies Team Report – November 2023

From: Summit Strategies Team

To: Andrew B. Fremier, Executive Director

Date: December 6, 2023

Subject: November Federal Policy Monthly Report

- **Congress Passes Stopgap Funding Measure**
 - **Appropriations Process Proceeding Slowly**
 - **Supporting MTC Priorities in Congress**
 - **US Department of Transportation Grant Awards**
 - **National Transportation News Roundup**
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Below is a status update on issues of interest to MTC and the actions that we have taken to date.

Congress Passes Stopgap Funding Measure

After much negotiation, the U.S. House of Representatives passed a stopgap funding measure on November 14, 2023, to avert a government shutdown. However, the vote was not a complete success for new House Speaker Mike Johnson (R-LA). Only 127 Republicans supported the measure, with 97 Republicans voting against it. Republican resistance grew when it was announced that the measure would not include conservative priorities like border security or steep spending cuts. Speaker Johnson had to rely on Democratic votes for passage, with 209 Democrats voting for the measure and only 2 Democrats voting against. The vote total was nearly identical to the vote total on the last stopgap funding measure in September 2023, eventually leading to former Speaker Kevin McCarthy (R-CA) getting ousted.

Unlike previous stopgap funding measures, this continuing resolution (CR) funds different spending bills through different deadlines, a move Speaker Johnson made to try to secure Republican support. The Agriculture, Rural Development, Food and Drug Administration; Energy and Water; Military Construction and Veterans Affairs; and Transportation, Housing and Urban Development, and Related Agencies spending bills will be funded through January 19, 2024, while the remaining spending bills will be funded through February 2, 2024.

After Senate Majority Leader Chuck Schumer (D-NY) and Minority Leader Mitch McConnell (R-KY) expressed support for the stopgap funding measure, it quickly passed the Senate, averting a government shutdown.

Appropriations Process Proceeding Slowly

Although Congress avoided a government shutdown with the November 2023 passage of a stopgap spending bill, the threat of a shutdown in early 2024 still looms: it will be challenging for Congress to deliver on Speaker Johnson's commitment to pass all 12 spending bills by the January and February deadlines. The House of Representatives has only approved seven of its 12 appropriations bills, and it is unclear when it will pass any of the remaining spending bills, given the growing split between conservative Republicans' demands for steeper cuts and moderate Republican's concerns over proposed cuts and policies in the underlying bills.

Before the Thanksgiving recess, the House had to pull the Transportation, Housing and Urban Development, and Related Agencies spending bill when moderate Republican resistance grew over proposed Amtrak funding cuts. The House Agriculture, Rural Development, Food and Drug Administration funding bill was similarly defeated on the floor after moderate Republican resistance boiled over on proposed limits to the abortion pill mifepristone and funding cuts to various programs.

The House also had to pull the Labor, Health and Human Services, Education spending bill when moderates objected to steep cuts proposed in the bill. The House failed to approve the rule for consideration of the Commerce, Justice, Science, and Related Agencies spending bill over conservative Republican's frustration that the underlying bill did not go far enough to "defund some of the policies and practices at the Department of Justice and Federal Bureau of Investigation" and moderate Republican's concerns that the proposed cuts in the bill would hurt law enforcement.

This growing split in the House Republican Conference, combined with the unified Democratic opposition to the House Appropriations Committee's bills makes it unlikely that the House will be able to pass the remaining appropriations bills. Democrats' unanimous opposition is due primarily to the decision by House Republican leadership to set funding levels *below* those agreed to in the debt ceiling negotiations and the inclusion of contentious policy riders in proposed bills, including on topics like abortion, gun control, and LGBTQ+ rights.

In the Senate, only three of 12 annual spending bills have passed. The chamber is currently debating whether to pass the remaining nine bills approved by the Senate Appropriations Committee by bipartisan votes as one "maxibus" package or continue to pass the bills in smaller packages. With the end-of-year holiday recess quickly approaching, it is unclear if Congress can finalize the appropriations bills before the new upcoming deadlines.

Supporting MTC Priorities in Congress

The DC Team helped support grant application by ensuring the U.S. Department of Transportation (USDOT) continued receiving phone calls and letters from the delegation supporting MTC priorities, including MTC's application for \$100 million in State Route 37 grant. The DC Team also continued to convey MTC's support for other Bay Area Infrastructure Grants Strategy priority projects (i.e., "BIL regional priority projects").

U.S. Department of Transportation Grant Awards

USDOT is expected to announce billions of dollars in grant awards in the coming weeks. Earlier this week, reports began surfacing that California High-Speed Rail is slated to receive \$3.1 billion in Federal Railroad Administration (FRA), and the Brightline intercity rail project to link California and Nevada will receive another \$3 billion. Official announcements on these and other intercity rail grant awards are expected from USDOT on Friday. Other major grant announcements are expected before Congress leaves for their winter break.

National Transportation News Roundup (links to articles)

- [California to receive \\$6 billion in federal investment for high-speed rail \(Office of Governor Gavin Newsom\)](#)
- [FHWA finalizes greenhouse gas emissions reduction tool \(Mass Transit\)](#)
- [San Diego leads U.S. in light rail ridership \(Axios\)](#)
- [Biden Convenes New Supply Chain Council \(Transport Topics\)](#)
- [Federal agency renews call for speed limit software in new cars \(The Hill\)](#)
- [Sound Transit fare ambassadors are checking if you paid, but nicely \(The Seattle Times\)](#)