



WASHINGTON UPDATE

PREPARED BY CATHY CONNOR,
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Today is the start of the new fiscal year – Fiscal Year 2020. In late July, Congress and the President agreed to a two-year budget deal which increased both the defense and domestic budget caps and was expected to expedite the FY'20 appropriations process. However, to date, none of the FY'20 federal agency funding bills have been passed.

To avoid a government-wide shutdown, the President has signed a short-term Continuing Resolution (CR) which funds the federal government through November 21. In general, the CR funds federal programs at current funding levels.

The CR includes several policy provisions including a provision to block the “Rostenkowski Test” which would have cut \$1.2B (12%) of transit formula funds in FY'20 because of a lack of a sufficient balance in the Mass Transit Account of the Highway Trust Fund. However, the CR does not include a repeal of the July 1, 2020 rescission of \$7.6B in highway contract authority.

In the meantime, Congress and the Administration are focused on the pending impeachment inquiry. Between that, the growing focus on the November 2020 elections, and several lengthy recesses, the window of opportunity to pass major legislation, including a potential infrastructure bill and the FAST Act surface transportation reauthorization, is quickly closing.

FY'20 Appropriations

Although the House passed all of its FY'20 appropriations bills by late June, the Senate opted to wait until Congress had agreed to a high-level budget deal before starting to draft its versions of the spending bills. Following the July agreement, the Senate quickly passed most of the bills through committee during September, but none have yet been brought to the Senate floor for final passage – or reconciled with the House. The funding in the Senate THUD (US DOT) bill is similar to the House levels for most programs. Exceptions include a significant reduction in FTA Capital Improvement Grants (CIG) and MARAD Port Infrastructure Grants – see chart below.

Here is a [link](#) to the committee-passed Senate THUD (S. 2520) bill text and a [link](#) to the committee report (S. Rpt 116-109). Here is a [link](#) to the committee-passed Senate Energy & Water (US Army Corps of Engineers) bill text (S. 2470) and a [link](#) to the committee report (S. Rpt 116-102) – see pages 12 to 50 for a list of approved projects.



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Program	FY'18 Enacted	FY'19 Enacted	FY'20 House- Passed Version	FY'20 Senate Committee Passed
Highway Program	\$46.76B	\$48.52B	\$48.1B	\$49.05B
BUILD (TIGER) Grants	\$1.5B	\$900M	\$1B	\$1B
FTA CIG Grants – New Starts (NS), Small Starts(SS), Core Capacity (CC), & Expedited Delivery Projects(EPD)	\$2.65B	\$2.55B Total - \$1.27B for NS, \$527M for SS, \$635M for CC	\$2.3B Total – \$795M for NS with FFGAs, \$702M for proposed NS, \$431M for SS, \$300M for CC, \$50M for EPD	\$1.97B Total - \$795M for NS with FFGAs, \$704M for proposed NS, \$78M for SS, \$300M for CC, \$100M for EPD
FTA Formula Grants	\$10.56B	\$10.64B	\$10.9B	\$10.8B
MARAD Port Infrastructure	NA	\$293M	\$225M	\$91.6M
FAA Airport Improvement Program (AIP)	\$4.35B	\$3.85B	\$3.85B	\$3.8B
Amtrak NEC	\$650M	\$650M	\$700M	\$680M
Amtrak National Network	\$1.29B	\$1.29B	\$1.29B	\$1.32B
FRA CRISI Grants	\$593M	\$255M	\$350M	\$255M
FRA SOGR Grants	\$250M	\$400M	\$350M	\$300M
EPA Water Infrastructure (WIFIA) Subsidy	\$63M	\$68M	\$50M	\$73M
EPA Clean Water State Revolving Funds (SRFs)	\$1.69B	\$1.69B	\$1.78B	\$1.63B
EPA Safe Drinking Water SRFs	\$1.16B	\$1.16B	\$1.30B	\$1.12B
FEMA Transit /Rail Security Grants	\$100M	\$100M	\$110M	\$100M
FEMA Port Security Grants	\$100M	\$100M	\$110M	\$100M
Corps of Engineers – Investigations – 6 new study starts		\$125M	\$135M	\$154.8M
Corps – Construction		\$2.18B	\$2.34B	\$2.79M
Corps – O&M		\$3.73B	\$3.92B	\$3.79M



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Other News

On September 12, US EPA and the US Army Corps of Engineers announced that the agencies are repealing the controversial 2015 Obama Administration proposed rule that expanded the definition of “Waters of the United States” (WOTUS) under the Clean Water Act. The Trump Administration is working to finalize a new WOTUS regulation redefining federal wetlands.

FTA announced the availability of \$19.2M in funding to support comprehensive planning that improves access to public transit. The competitive grant funds are provided through FTA’s Pilot Program for Transit-Oriented Development (TOD) Planning. Here is a [link](#) to the September 18 Notice of Funding Opportunity (NOFO). The Pilot Program funds comprehensive planning to encourage ridership, transit access, and economic and mixed-use development near public transportation projects. The application period will close on November 18, 2019.

On September 18, US DOT announced \$60M in competitive grant awards for the Automated Driving Systems (ADS) Demonstration Program. Here is a [link](#) to more information about the eight projects in seven states selected to test the safe integration of automated driving systems into the existing road system, as well as the 65 projects which submitted applications.

Additional information and materials, including archived Washington Updates, are located on the WSP Federal Briefing website at www.federalbriefing.com