



2021 Federal Outlook - Transportation

Biden Administration & the 117th Congress

February 4, 2021

Holland & Knight

Recap

- Congress passed a \$2.4 trillion legislative package (H.R. 133) on December 21, which included:
 - Fiscal Year (FY) 2021 Appropriations
 - \$900 billion for Covid-19 Relief
 - Water Resources Development Act (WRDA) reauthorization
 - Tax Extenders
 - Energy Act of 2020
- The FY 2021 Omnibus Appropriations includes \$1.4 trillion to fund the federal government through September 2021.
- Increased funding for most agencies and programs, including DOT, HHS, EPA, and HUD.

Coronavirus Relief Package

Key Provisions of the Consolidated Appropriations Act

Transportation-Covid	<ul style="list-style-type: none">• \$14 billion for transit; \$10 billion for highways; \$2 billion for aviation
Coronavirus Relief Fund (CRF)	<ul style="list-style-type: none">• Extends the funds provided under the CARES Act for the CRF through December 31, 2021
Covid-19 Relief for Individuals	<ul style="list-style-type: none">• Economic Impact Payments: \$600 for individuals making up to \$75,000 per year; additional \$600 per independent• Unemployment Insurance: \$300 per week for all workers through March 14, 2021

FY 2021 Appropriations – Transportation

- **DOT:** \$88.2 billion, a \$955 million increase over FY 2020.
- **Highways:** \$46.365 billion (FAST Act authorized Highway Trust Fund), same as FY 2020
 - \$10,000,000 for a high visibility enforcement paid-media campaign regarding highway-rail grade crossing
 - Additional \$2 billion for Highways from the Treasury Department, allocated as follows:
 - \$640.7 million for STBG
 - \$1.08 billion for Bridge Replacement/Rehabilitation Grants
 - \$50 million for Competitive Grade Crossing Grants
- **Federal Transit Administration (FTA):** \$12.957 billion, \$46 million increase over FY 2020
 - Transit Formula Grants: \$10.15 billion, same as FY 2020
 - Additional \$566.2 million for transit formula grants from the Treasury Department, allocated as follows:
 - \$243,000,000 for buses and bus facilities grant, of which \$118 million for formula grants and \$125 million for competitive grants
 - \$125,000,000 for low or no emission grants
 - \$40,000,000 for state of good repair grants
 - \$8,000,000 for the passenger ferry grant program

FY 2021 Appropriations – Transportation

- Capital Investment Grants: \$2 billion
 - \$1.169 million for New Starts
 - \$525 million for Core Capacity, including \$100 million for Peninsula Corridor Electrification project
 - \$200 million for Small Starts
- CIG Report Language - "Prevents FTA from delaying projects that have a proposed federal share of their capital costs greater than 40 percent and prevents FTA from requiring CIG get a medium or higher rating before finishing its EIS."
- Airport Revenue Report Language - "Given the utility of sales tax measures to address local transportation needs and reduce the burden on Federal spending, the Secretary is directed to continue working with State and local governments and the FAA to develop a path forward to allow the use of local sales tax revenues generated on the sale of aviation fuel to be used in a manner consistent with their enactment."

FY 2021 Appropriations – Transportation

- **BUILD Grants:** \$1 billion, same as FY 2020
 - \$30,000,000 for planning grants, of which not less than \$10,000,000 is for areas of persistent poverty.
- **Federal Railroad Administration (FRA):** \$2.82 billion, \$26.9 million increase from FY 2020.
 - Amtrak: \$2 billion, same as FY 2020
 - CRISI: \$375 million, at least \$25 million must go towards capital projects and engineering solutions to prevent trespassing on railroad rights-of-way. Urges DOT to give consideration to grade crossing safety and quiet zone projects.

Secretary of DOT Nominee



Pete Buttigieg
Secretary of Transportation

- On January 21, the U.S. Senate Committee on Commerce, Science, and Transportation held a confirmation hearing for Pete Buttigieg as the nominee for Secretary of the U.S. Department of Transportation.
- The Senate Commerce, Science, and Transportation Committee confirmed him as a nominee on January 27. The Senate will vote on his confirmation soon.

U.S. DOT Appointees

Deputy Assistant Secretary: Polly Trottenberg

Chief of Staff to the Secretary: Laura Schiller, Chief of Staff

Intergovernmental Affairs (IGA)

- **Charles Small**, Deputy Assistant Secretary for Intergovernmental Affairs
- **Mohsin Syed**, Principal Deputy Assistant Secretary for Congressional Affairs (Senate)
- **Edward McGlone**, Deputy Assistant Secretary for Congressional Affairs (House)

Federal Transit Administration: Nuria Fernandez, Deputy Administrator, Federal Transit Administration

U.S. DOT Appointees

Federal Highway Administration: Stephanie Pollack,
Deputy Administrator

Federal Railroad Administration: Amit Bose, Deputy
Administrator, Federal Railroad Administration

**National Highway Traffic Safety Administration: Steve
Cliff,** Deputy Administrator, National Highway Traffic Safety
Administration

President Biden's American Rescue Plan

- President Biden has proposed a \$1.9 trillion “American Rescue Plan,” which includes three main categories of proposals:
 - COVID-19 Response and Healthcare Measures
 - Relief to American Workers and Families
 - Support for Small Businesses and Governments
- While plan includes certain executive actions, vast majority of proposals are dependent on Congress passing legislation.
- President Biden wants Congress to send him the bill by March 14, 2021 – the day when unemployment benefits expire

President Biden's American Rescue Plan

- **\$415 billion for Covid-19 Response and Healthcare Measures, including:**
 - \$50 billion to expand testing efforts.
 - \$20 billion for national vaccination program in partnership with state and local governments.
- **\$440 billion to Support Local Governments and Small Businesses, including:**
 - \$350 billion in direct state, local and territorial funding.
 - \$30 billion in rental and energy and water assistance for hard-hit individuals and families.
 - **\$20 billion for transit agencies**
 - \$15 billion in "flexible, equitably distributed" grants to the hardest-hit small businesses.
 - \$35 billion in small business financing programs, with the aim of leveraging it into \$175 billion in lending and investment.

President Biden's American Rescue Plan

- Given slim Democratic majorities in Congress and 60-vote filibuster threshold to pass legislation in the Senate, legislation has two paths:
 - Budget reconciliation process in the Senate, to bypass filibuster (only requires simple majority to pass)
 - Create a bill that would receive bipartisan support in the Senate by regular order
- Following the \$1.9 trillion American Action Plan, Biden has promised a second recovery package that will include **investments in infrastructure, research and development, and clean energy.**

February – End of Summer

- Biden's COVID bill
- Infrastructure Package
- FY 2022 Appropriations
 - Earmarks??
- Surface Transportation Reauthorization
 - Current extension expires on September 30, 2021

House T&I Committee

Returning Republican Members

- Don Young (AK-AL)
- Rick Crawford (AR-01)
- Bob Gibbs (OH-07)
- Daniel Webster (FL-11)
- Thomas Massie (KY-04)
- Scott Perry (PA-10)
- Rodney Davis (IL-13)
- John Katko (NY-24)
- Brian Babin (TX-36)
- Garret Graves (LA-06)
- David Rouzer (NC-07)
- Mike Bost (IL-12)
- Randy Weber (TX-14)
- **Doug LaMalfa (CA-01)**
- Bruce Westerman (AR-04)
- Brian Mast (FL-18)
- Mike Gallagher (WI-08)
- Brian Fitzpatrick (PA-01)
- Jenniffer Gonzalez Colon (PR-AL)
- Troy Balderson (OH-12)
- Pete Stauber (MN-08)

116th Congress: 37-D and 30-R

117th Congress: 37-D and 32-R

House T&I Committee

New Republican Members

- Tim Burchett (TN-02)
- Michael Guest (MS-03)
- Dusty Johnson (SD-AL)
- Jeff Van Drew (NJ-02)
- Carlos Gimenez (FL-26)
- Nancy Mace (SC-01)
- Nicole Malliotakis (NY-11)
- Troy Nehls (TX-22)
- Beth Van Duyne (TX-24)
- **Michelle Steel (CA-48)**

House T&I Committee

Subcommittee Chairs - Democrats

- Subcommittee on Aviation: Rick Larsen (WA-2)
- Subcommittee on Coast Guard and Maritime Transportation: **Salud Carbajal (CA-24)**
- Subcommittee on Economic Development, Public Buildings, and Emergency Management: Dina Titus (NV-1)
- Subcommittee on Highways and Transit: Eleanor Holmes Norton (DC)
- Subcommittee on Railroads, Pipelines, and Hazardous Materials: Donald M. Payne, Jr. (NJ-10)
- Subcommittee on Water Resources and Environment: **Grace F. Napolitano (CA-32)**
- Vice Chair of full committee: Sharice Davids (KS-3)

House T&I Committee

New Democrat Members

- Seth Moulton (MA-6)
- Jake Auchincloss (MA-4)
- Carolyn Bourdeaux (GA-7)
- Kaiiali'i Kahele (HI-2)
- Marilyn Strickland (WA-10)
- Nikema Williams (GA-5)
- Marie Newman (IL-3)

House T&I Committee

Returning Democrat Members

- Peter A. DeFazio (OR-4), Chair of the Full Committee
- Eleanor Holmes Norton (DC)
- Eddie Bernice Johnson (TX-30)
- Rick Larsen (WA-2)
- **Grace F. Napolitano (CA-32)**
- Steve Cohen (TN-9)
- Albio Sires (NJ-8)
- John Garamendi (CA-3)
- Henry C. “Hank” Johnson, Jr. (GA-4)
- André Carson (IN-7)
- Dina Titus (NV-1)
- Sean Patrick Maloney (NY-18)
- **Jared Huffman (CA-2)**
- **Julia Brownley (CA-26)**

House T&I Committee

Returning Democrat Members

- Frederica S. Wilson (FL-24)
- Donald M. Payne, Jr. (NJ-10)
- **Alan Lowenthal (CA-47)**
- **Mark DeSaulnier (CA-11)**
- Stephen F. Lynch (MA-8)
- **Salud Carbajal (CA-24)**
- Anthony G. Brown (MD-4)
- Tom Malinowski (NJ-7)
- Greg Stanton (AZ-9)
- Colin Allred (TX-32)
- Sharice Davids (KS-3)
- Jesús “Chuy” García (IL-4)
- Antonio Delgado (NY-19)
- Chris Pappas (NH-1)
- Conor Lamb (PA-17)

Senate Committee Leadership - Transportation

- Committee on Banking, Housing, and Urban Affairs
 - Chairman Sherrod Brown (D-OH)
 - Ranking Member Mike Crapo (R-ID)
- Committee on Environment and Public Works
 - Chairman Tom Carper (D-DE)
 - Ranking Member Shelly Moore Capito (R-WY)
- Committee on Finance
 - Chairman Ron Wyden (D-OR)
 - Ranking Member Chuck Grassley (R-IA)

