



# TGA ASSOCIATION MANAGEMENT SOLUTIONS, LLC

**TO:** Railway Systems Suppliers, Inc. (“RSSI”)  
**FROM:** TGA Association Management Solutions, LLC (“TGA AMS”)  
**RE:** Monthly Legislative Report for June 2024  
**DATE:** July 1, 2024

## KEY UPDATES

- Federal discretionary grants:
  - \$1.8 billion in FY24 RAISE grant awards were announced on June 26, see more info [here](#)
  - FY23-24 \$2.4 billion in CRISI grant apps were due on May 28
  - New [FRA grant NOFO and award tracker here](#)
    - FRA Rail Crossing Elimination (RCE) grant program NOFO expected July 2024
  - USDOT calendar for key NOFOs [here](#)
- Rail industry continues to fight [California Air Resources Board \(CARB\) rule](#) mandating zero emissions locomotives by 2030 now under review at USEPA
  - House Science Committee hearing was held on June 13
  - Potential for House T&I Committee hearing in July
- East Palestine fallout
  - The NTSB will publish the final report [here](#) in about 2 to 4 weeks after the Board meeting; however an abstract of the final report can be found [here](#).
  - House T&I hearing on East Palestine is tentatively scheduled for July 23
- On June 28, Supreme Court Chevron ruling has potential ramifications for transportation industry regulations, see more [here](#).

## FY2025 APPROPRIATIONS

- On June 27, House Appropriations THUD Subcommittee marked up its FY25 T-HUD approps bill
  - The full committee will mark up the bill on July 10
- On March 11, President Biden released his [FY2025 proposed budget](#)
- See funding levels below:

|                                     | Final<br>Omni<br>FY23 | IJA<br>Advance<br>Approps<br>FY24 | Final FY24<br>Approps<br>bill | Total FY24<br>funding | President<br>request<br>FY25 | House<br>FY25 |
|-------------------------------------|-----------------------|-----------------------------------|-------------------------------|-----------------------|------------------------------|---------------|
| USDOT RAISE                         | \$800m                | \$1.5b                            | \$345m                        | \$1.8b                | \$800m                       | \$0           |
| USDOT MEGA                          | \$0                   | \$1b                              | \$0                           | \$1b                  | \$800m                       | \$0           |
| USDOT INFRA                         | \$0                   | \$1.64b                           | \$0                           | \$1.64b               | \$0                          | \$0           |
| Amtrak NEC                          | \$1.260b              | \$1.2b                            | \$1.14b                       | \$2.3b                | \$1.2b                       | \$1b          |
| Amtrak National Network             | \$1.193b              | \$3.2b                            | \$1.29b                       | \$4.5b                | \$1.305b                     | \$1.12b       |
| FRA CRISI                           | \$560m                | \$1b                              | \$199m                        | \$1.2b                | \$250m                       | \$298.5m      |
| FRA Fed-State Partnership           | \$100m                | \$7.2b                            | \$75m                         | \$7.3b                | \$100m                       | \$0           |
| FRA Rail<br>Restoration/Enhancement | \$0                   | \$0                               | \$0                           | \$0                   | \$0                          | \$0           |
| FRA Rail Crossing Elimination       | \$0                   | \$600m                            | \$0                           | \$600m                | \$0                          | \$0           |

|                             |          |        |          |          |          |          |
|-----------------------------|----------|--------|----------|----------|----------|----------|
| FTA CIG                     | \$2.635b | \$1.6b | \$2.2b   | \$3.8b   | \$2.4b   | \$755m   |
| FTA Formula funds           | \$13.6b  | -      | \$13.99b | \$13.99b | \$14.28b | \$14.28b |
| WMATA Special Appropriation | \$150m   | -      | \$150m   | \$150m   | \$150m   | \$150m   |

## SURFACE TRANSPORTATION BOARD

- Current STB members:
  - **Acting Chair Robert Primus (Democrat):** Career Democratic staffer on Capitol Hill, formerly served as Chief of Staff to Rep. Nanette Barragan (D-CA), Rep. Michael Capuano (D-MA), and Rep. Tony Cardenas (D-CA)
  - **Karen Hedlund (Democrat):** former Obama FRA Deputy Administrator
  - **Open Seat (Democrat):** Former Chair Marty Oberman stepped down, awaiting nomination from President
  - **Patrick Fuchs (Republican):** Former Senate Commerce Committee staffer under Chairman John Thune (R-SD) who is well versed on regulatory issues affecting the railroad industry. He has been very friendly to freight railroads and we know where he stands on the issues
  - **Michelle Schultz (Republican):** Previously spent 14 years in leadership roles with SEPTA and had a career in law before that
- On April 30, 2024, the STB [announced](#) its final rule on reciprocal switching
- On March 28, 2024, the STB [announced](#) the inaugural membership for its Passenger Rail Advisory Committee (PRAC)
- On January 25, President Biden [nominated](#) Patrick Fuchs to serve a second term
  - Fuchs' nomination was paired with NTSB Chair Homendy and has cleared the Senate Commerce Committee
- On November 16, at the Railtrends conference, STB Chairman Oberman announced he will not seek another term on the STB but will remain on STB through the holdover authority until his replacement is named and confirmed
  - Chairman Oberman has announced he will be stepping down on May 10, 2024. The White House is yet to name his successor
- On November 21, the STB [announced](#) it was extending the comment period until December 20
  - See AAR response [here](#)
- Regarding CP-KCS, on March 15 the STB [approved CP-KCS merger with conditions](#)

## RAIL SAFETY LEGISLATION/ACTION

- NTSB held a [meeting on June 25, 2024](#), with findings from its final report, which is due to be released in full in the coming weeks.
- With one year anniversary of East Palestine, OH incident on Feb 3, 2024, President Biden visited EP and proponents of this rail safety legislation will try to reinvigorate some momentum to try to pass a bill.
- Railway Safety Act of 2023 (S. 576) was introduced on March 1, 2023 by Senators Vance (R-OH), Brown (D-OH), Fetterman (D-PA), Casey (D-PA), Hawley (R-MO), and Rubio (R-FL)
  - [Revised bill](#) passed out of the Senate Commerce Committee by a vote of 16-11
    - Bill did not receive a vote on the Senate floor
  - House T&I is possibly writing its own version of the bill
- RAIL Act (H.R. 1633) was introduced on March 17 by Reps. Johnson (R-OH) and Sykes (D-OH)

- FRA Rail Safety Advisory Committee (RSAC) held a special meeting on March 27 in response to the NS East Palestine, OH derailment
- Reps. Stansbury (D-NM) and Bowman (D-NY) released a labor and [rail safety bill](#) on September 19

### TRUCK SIZE & WEIGHTS

- On May 23, 2024, House Agriculture Committee marked up its farm bill with no TSW provisions in the base bill
- On May 23, 2023, the House Transportation and Infrastructure Committee passed two bills H.R. 3372 and H.R. 2948, both of which would allow heavier trucks on the interstate highway system. H.R. 3372 would allow states to increase the allowed weight of a commercial motor vehicle operating on interstate highways from the current maximum weight of 80,000 pounds up to 91,000 pounds. H.R. 2948 (CARS Act), would increase the permissible weight of an auto transporter by 10 percent, up to 88,000 pounds.
  - See [ASLRRRA letter](#) to the House Transportation and Infrastructure Committee and a Coalition Against Bigger Trucks (CABT) [letter](#) to committee leaders urging them to reject truck size increases.

### INFRASTRUCTURE BILL (IIJA)/BIPARTISAN INFRASTRUCTURE LAW (BIL)

See links below for some helpful summaries of programs and provisions contained in the IIJA/BIL:

|   |   |
|---|---|
| <a href="#">CRS Report on Highway and Transit funding in IIJA (NEW)</a> |   |
| <a href="#">WH technical asst guide</a>                                 | <a href="#">USDOT BIL NOFO Tracker</a>                        |
| <a href="#">Section 130 program BIL fact sheet</a>                      | <a href="#">Brookings Online Hub</a>                          |
| <a href="#">CRS Report on FHWA programs in IIJA</a>                     | <a href="#">CRS Report on passenger rail programs in IIJA</a> |
| <a href="#">White House Guidebook</a>                                   | <a href="#">Updated WH Fact Sheet</a>                         |
| <a href="#">White House Fact Sheet</a>                                  | <a href="#">USDOT State Fact Sheets</a>                       |
| <a href="#">AASHTO IIJA Summary 9 15 2021</a>                           | <a href="#">APTA IIJA Passenger Rail Investment</a>           |
| <a href="#">ARTBA IIJA Summary 8 2 2021</a>                             | <a href="#">FTA Key Priorities</a>                            |
| <a href="#">IIJA Summary</a>  | <a href="#">CBO Score of IIJA</a>                             |
| <a href="#">National Association of Regional Councils</a>               | <a href="#">Dept. of Energy IIJA Fact Sheet</a>               |
| <a href="#">National Association of Counties NACo</a>                   | <a href="#">T&amp;I Links to Excel Apportionment Charts</a>   |
| <a href="#">APTA IIJA Public Transportation Investment</a>              | <a href="#">AASHTO Implementation Outline for IIJA</a>        |

### CONGRESSIONAL HEARINGS

- June 27, 2024. The House Committee on Appropriations, Subcommittee on Housing and Urban Development and Related Agencies held a mark-up of a draft FY 2025 Transportation-Housing Appropriations (THUD) bill. **Covered by TGA AMS – Summary Available Upon Request**
- June 27, 2024. The House Committee on Transportation and Infrastructure held a Full Committee hearing to discuss and receive testimony on matter pertaining to, “Oversight of the Department of Transportation’s Policies and Programs and Fiscal Year 2025 Budget Request.” The witness was US DOT Secretary Pete Buttigieg. Members had the opportunity to question the Secretary on a range of issues, including US DOT’s policy decisions and program

implementation, as well as the Department's FY 2025 budget request. [Committee Link and Testimony](#). **Covered by TGA AMS – Summary Available Upon Request**

- [June 13, 2024](#). The House Committee on Science, Space and Technology, Subcommittee on Investigations and Oversight held a hearing to discuss and receive testimony on matters pertaining to, "[Environmentalism Off the Rails: How CARB \(California Air Resources Board\) will Cripple the National Rail Network](#)." The California plan (according to a WSJ article) would ban locomotives that are 23 years or older from running in that State after 2029. The Committee, led by Rep. Jay Obernolte (R-CA), heard from several in the industry who have spoken out against the regulation, including Ian Jefferies, President and Chief Executive Officer, [Association of American Railroads](#), and Chuck Baker, President, [American Short Line and Regional Railroad Association](#). [Committee Link and Testimony](#).
- [June 13, 2024](#). The House Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit held a hearing to discuss and receive testimony on matters pertaining to, "[Revenue, Ridership, and Post-Pandemic Lessons in Public Transit](#)." [Committee Link and Testimony](#).
- [June 12, 2024](#). The House Committee on Transportation and Infrastructure, Subcommittee on Railroads, Pipelines and Hazardous Materials held a hearing to discuss and receive testimony on matters pertaining to, "[Amtrak and Intercity Passenger Rail Oversight: Promoting Performance, Safety, and Accountability](#)." Witnesses included Mr. Stephen Gardner, Chief Executive Officer, Amtrak, and Mr. Anthony Coscia, Chair of the Amtrak Board. Mr. Gardner noted in [written testimony](#) that "Turning to our financial performance, the good news is that our ridership [Amtrak] during the first seven months of FY 2024 was 20% higher, and our ticket revenue 10% higher, than during the same period last year. For background, see CRS report "[Passenger Rail Expansion in the Infrastructure Investment and Jobs Act \(IIJA\)](#)." ENO article [here](#). [Committee Link and Testimony](#). **Covered by TGA AMS – Summary Available Upon Request**

## U.S. DEPARTMENT OF TRANSPORTATION/FRA/FTA

- [June 26, 2024](#). The US DOT [announced](#) \$1.8 billion in FY 2024 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants for 148 projects across the country. The competitive RAISE program was authorized \$1.5 billion a year in addition to appropriated funds from the IIJA (see NOFO [here](#)). The RAISE program is a multimodal reimbursement grant program for capital and planning surface transportation projects. The US DOT received almost \$13 billion in requests for the \$1.8 billion available for FY 2024. See a full list of awardees [here](#).
- [June 21, 2024](#). The Pipeline and Hazardous Materials Safety Administration issued a [Final Rule](#) (and [here](#)) amending the Hazardous Materials Regulations to require railroads that carry hazardous materials to generate in electronic form, maintain, and provide to first responders, emergency response officials, and law enforcement personnel, certain information regarding hazardous materials in rail transportation to enhance emergency response and investigative efforts. **The Final Rule becomes effective on July 24, 2024.**
- [June 10, 2024](#). American Association of State Highway and Transportation Officials (AASHTO) and the States for Passenger Rail Coalition (SPRC) sent a [letter](#) to Senate and House Appropriations leaders urging Congress to "direct \$20 million in [FY 2025] CRISI funds to states using an equitable approach that benefits all states to support planning and project delivery efforts." The letter continues by stating, "AASHTO and the SPRC are at the forefront of implementing federal policy and funding for rail."

- June 10, 2024. Norfolk Southern is now accepting applications for its [2024 Safety-First Grant Program and its 2024 Thriving Communities Grant Program](#). These programs are intended to support organizations that directly provide safety services or operate programs that promote safe behavior, and promote sustainability initiatives, workforce development programs, and community resiliency efforts across the 22 States where Norfolk Southern operates. Generally, the Thriving Communities Grant ranges from \$1,000 to \$50,000 and the Safety-First Grant ranges from \$1,000 to \$15,000. Apply for either grant [here](#) by clicking on the “Apply Now” box. **Applications must be submitted by 11:59 pm on October 1, 2024.**
- June 2, 2024. The US DOT recently updated its [Infrastructure Investment and Jobs Act \(IIJA\) Funding Status Spreadsheet](#). The report shows how IIJA funds are progressing. Funds are first enacted into law and then adjustments and transfers are made. The nearby summary spreadsheet prepared by TGA AMS shows the total amount of funding that is under a binding agreement (Obligated) between DOT and a recipient where promises to spend the money, either immediately or in the future, for the agreed upon purpose. The percent obligated as of June 2, 2024 is 55.4 percent, (see next page).

**IIJA Financial Summary**

(FYs 2022, 2023 and 2024)

As of: June 2, 2024

|   | FUNDING SOURCE      | ADJUSTED TOTAL         | OBLIGATIONS            | PERCENT OBLIGATED |
|---|---------------------|------------------------|------------------------|-------------------|
| <b>ADMINISTRATION</b>                                     |                     |                        |                        |                   |
| <b>Federal Aviation Administration</b>                    |                     |                        |                        |                   |
| Facilities & Equipment                                    | IIJA Supplemental   | 3,000,000,000          | 1,265,436,000          | 42.2%             |
| Airport Infrastructure Grants                             | IIJA Supplemental   | 8,997,000,000          | 2,398,204,000          | 26.7%             |
| Airport Terminal Program                                  | IIJA Supplemental   | 2,997,000,000          | 2,014,585,000          | 67.2%             |
| <b>Federal Highway Administration</b>                     |                     |                        |                        |                   |
| Federal-Aid Highways (Trust Fund)                         | IIJA Contract Auth. | 155,854,895,000        | 120,719,443,000        | 77.5%             |
| Highway Infrastructure Program                            | IIJA Supplemental   | 28,306,279,000         | 8,256,805,000          | 29.2%             |
| <b>Federal Motor Carrier Safety Administration</b>        |                     |                        |                        |                   |
| Operations and Programs (Trust Fund)                      | IIJA Contract Auth. | 1,126,404,000          | 892,721,000            | 79.3%             |
| Operations and Programs                                   | IIJA Supplemental   | 30,000,000             | 5,183,000              | 17.3%             |
| Motor Carrier Safety Grants (Trust Fund)                  | IIJA Contract Auth. | 1,517,760,000          | 995,776,000            | 65.6%             |
| Motor Carrier Safety Grants                               | IIJA Supplemental   | 373,500,000            | 216,090,000            | 57.9%             |
| <b>National Highway Traffic Safety Administration</b>     |                     |                        |                        |                   |
| Operations and Research (Trust Fund)                      | IIJA Contract Auth. | 586,696,000            | 428,015,000            | 73.0%             |
| Highway Traffic Safety Grants (Trust Fund)                | IIJA Contract Auth. | 2,779,369,000          | 2,733,532,000          | 98.4%             |
| Operations and Research                                   | IIJA Supplemental   | 216,500,000            | 129,699,000            | 59.9%             |
| Crash Data  | IIJA Supplemental   | 443,500,000            | 31,912,000             | 7.2%              |
| Vehicle Safety & Behavioral Research                      | IIJA Supplemental   | 119,100,000            | 56,738,000             | 47.6%             |
| Supp. Highway Traffic Safety Grants                       | IIJA Supplemental   | 186,000,000            | 127,232,000            | 68.4%             |
| <b>Federal Transit Administration</b>                     |                     |                        |                        |                   |
| Capital Investment Grants                                 | IIJA Supplemental   | 4,800,000,000          | 2,117,532,000          | 44.1%             |
| All Stations Accessibility Program                        | IIJA Supplemental   | 1,049,895,000          | 363,999,000            | 34.7%             |
| Elec. Or Low-Emitting Ferry Program                       | IIJA Supplemental   | 149,985,000            | -                      | 0.0%              |
| Ferry Service for Rural Communities                       | IIJA Supplemental   | 599,940,000            | 44,824,000             | 7.5%              |
| Transit Infrastructure Grants                             | IIJA Supplemental   | 6,163,697,000          | 2,611,649,000          | 42.4%             |
| Transit Formula Grants (Trust Fund)                       | IIJA Contract Auth. | 44,410,514,000         | 16,353,666,000         | 36.8%             |
| <b>Federal Railroad Administration</b>                    |                     |                        |                        |                   |
| NE Corridor Grants to Amtrak                              | IIJA Supplemental   | 3,592,020,000          | 3,574,648,000          | 99.5%             |
| National Network Grants to Amtrak                         | IIJA Supplemental   | 9,584,000,000          | 9,399,393,000          | 98.1%             |
| Consolidated Rail Infrastructure Safety/Improvements      | IIJA Supplemental   | 2,980,000,000          | 16,300,000             | 0.5%              |
| State of Good Repair/Fed.-State Partnership               | IIJA Supplemental   | 21,456,000,000         | 20,700,000             | 0.1%              |
| Railroad Crossing Elimination                             | IIJA Supplemental   | 1,786,903,000          | 3,134,000              | 0.2%              |
| Financial Assistance Oversight                            | IIJA Supplemental   | 197,010,000            | 56,985,000             | 28.9%             |
| <b>Pipeline/Hazardous Materials Safety Administration</b> |                     |                        |                        |                   |
| Emergency Preparedness Grans (Fee Based)                  | IIJA Mandatory      | 103,442,000            | 39,417,000             | 38.1%             |
| Nat. Gas Dist. Infr. Safety & Modernization               | IIJA Supplemental   | 599,940,000            | 165,510,000            | 27.6%             |
| <b>Maritime Administration</b>                            |                     |                        |                        |                   |
| Operations and Training                                   | IIJA Supplemental   | 25,000,000             | 9,937,000              | 39.7%             |
| Port Infrastructure Development Program                   | IIJA Supplemental   | 1,350,000,000          | 104,948,000            | 7.8%              |
| <b>Office of the Inspector General</b>                    |                     |                        |                        |                   |
| Division J Transfers                                      | IIJA Supplemental   | 12,972,000             | -                      | 0.0%              |
| <b>Office of the Secretary of Transportation</b>          |                     |                        |                        |                   |
| Asset Concessions   | IIJA Mandatory      | 57,720,000             | -                      | 0.0%              |
| TIFIA Highway Trust Fund Transfers                        | IIJA Contract Auth. | 678,899,000            | 17,773,000             | 2.6%              |
| National Infrastructure Investments                       | IIJA Supplemental   | 7,350,000,000          | 224,951,000            | 3.1%              |
| SMART Grants  | IIJA Supplemental   | 294,000,000            | 92,784,000             | 31.6%             |
| Safe Streets and Roads for All                            | IIJA Supplemental   | 2,940,000,000          | 254,128,000            | 8.6%              |
| National Culvert Remov., Replcmt., Restoration            | IIJA Supplemental   | 588,000,000            | -                      | 0.0%              |
| Operational Support                                       | IIJA Supplemental   | 304,768,000            | 111,706,000            | 36.7%             |
| <b>US DOT Total:</b>                                      |                     | <b>317,608,708,000</b> | <b>175,855,355,000</b> | <b>55.4%</b>      |

**Selected/Anticipated Transportation-Related NOFO Announcement Dates in 2024**

**Month Est.****Notice of Funding Opportunity (NOFO)****Operating/Admin. Office**

|             |  |                           |
|-------------|--|---------------------------|
| June 2024   | <a href="#">Railroad Crossing Elimination Grant Program</a>  | FRA                       |
| May 2024    | <a href="#">FY 2024 Federal-State Partnership – NEC/National – NOFO on 5/14/24 for NEC.</a>            | FRA                       |
| May 2024    | Pilot Program for Transit Oriented Development Planning– <a href="#">NOFO on 5/23/24</a>               | FTA                       |
| Winter 2024 | Building Resilient Infrastructure and Communities Program  | DHS/FEMA                  |
| Winter 2024 | <a href="#">FY 2022-23 Restoration &amp; Enhancement</a>   | FRA                       |
| June 2024   | <a href="#">National Culvert Removal, Replacement, and Restoration Grants</a>                          | FHWA                      |
| May 2024    | SMART Grants Stage 1 – <a href="#">NOFO on 5/13/24</a>   | US DOT Office of the Sec. |
| July 2024   | Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) | FHWA                      |
| Summer 2024 | SMART Grants Stage 2   | US DOT Office of the Sec. |
| Summer 2024 | Neighborhood Access and Equity Grants  | Office of the Sec.        |
| July 2024   | Reconnecting Communities Pilot Program   | Office of the Sec.        |
| Fall 2024   | Federal-State Partnership for Intercity Passenger Rail (National)                                      | FRA                       |
| Fall 2024   | Local and Regional Project Assistance Grants (RAISE)   | Office of the Sec.        |

**POLITICAL ENVIRONMENT**

- Current split for the 118<sup>th</sup> Congress
  - Senate: **51 Democrats** – **49 Republicans**
  - House: **218 Republicans** – **213 Democrats**
    - Many incumbents in both chambers and parties have announced their [retirements](#), many of which were announced recently
    - With recent House retirements, House Republicans only have a narrow 1 vote majority