



# TGA ASSOCIATION MANAGEMENT SOLUTIONS, LLC

**TO:** Railway Systems Suppliers, Inc. (“RSSI”)  
**FROM:** TGA Association Management Solutions, LLC (“TGA AMS”)  
**RE:** Monthly Legislative Report for August 2024  
**DATE:** September 3, 2024

## KEY UPDATES

- Federal discretionary grants:
  - New [FRA grant NOFO and award tracker here](#)
  - FRA Rail Crossing Elimination (RCE) grant program [NOFO](#) released July 6, apps due Sept. 23
  - USDOT calendar for key NOFOs [here](#)
    - FY23-24 \$2.4 billion in CRISI grant apps were due on May 28, awards to be made late Summer/early Fall
- On August 14, FTA released its final rule on its version of Roadway Worker Protection (RWP) for transit workers, see the rule [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
  - House T&I Committee hearing held on July 9
- East Palestine fallout
  - NTSB published final report [here](#)
  - House T&I rail subcommittee Chairman Nehls [introduced a rail safety bill](#) on July 23
  - House T&I rail subcommittee held a hearing on East Palestine on July 23
- FY25 Appropriations bills moved through House and Senate Appropriations Committees, updated funding tables are included in the report
  - Congress needs to pass a continuing resolution (CR) to keep government funded past Sept. 30, 2024
- On June 28, Supreme Court Chevron ruling has potential ramifications for transportation industry regulations, see more [here](#).

## FY2025 APPROPRIATIONS

- On July 25, Senate Appropriations Committee marked up its FY25 T-HUD appropriations bill
- On July 10, House Appropriations Committee marked up its FY25 T-HUD approps bill
- On March 11, President Biden released his [FY2025 proposed budget](#)
- See funding levels below:

	IJA Advance Approps FY24	Final FY24 Approps bill	Total FY24 funding	President request FY25	House FY25	Senate FY25
USDOT RAISE	\$1.5b	\$345m	\$1.8b	\$800m	\$0	\$550m
USDOT MEGA	\$1b	\$0	\$1b	\$800m	\$0	\$0
USDOT INFRA	\$1.64b	\$0	\$1.64b	\$0	\$200m	\$0
Amtrak NEC	\$1.2b	\$1.14b	\$2.3b	\$1.2b	\$1b	\$1.02b

Amtrak National Network	\$3.2b	\$1.29b	\$4.5b	\$1.305b	\$1.12b	\$1.6b
FRA CRISI	\$1b	\$199m	\$1.2b	\$250m	\$298.5m	\$375m
FRA Fed-State Partnership	\$7.2b	\$75m	\$7.3b	\$100m	\$0	\$100m
FRA Rail Restoration/Enhancement	\$50m	\$0	\$0	\$0	\$0	\$0
FRA Rail Crossing Elimination	\$600m	\$0	\$600m	\$0	\$0	\$0
FTA CIG	\$1.6b	\$2.2b	\$3.8b	\$2.4b	\$755m	\$2.262b
FTA Formula funds	-	\$13.99b	\$13.99b	\$14.28b	\$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 September 16-17, the STB will be holding a public hearing to gather input on recent trends and growth strategies in the freight rail industry. The board has asked Class I executives to attend along with short lines, shippers, suppliers, labor and other stakeholders
- 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.
- Railroad Safety Enhancement Act of 2024 [was introduced](#) on July 23, 2024 by Rep. Troy Nehls (R-TX) and Rep. Seth Moulton (D-MA)
- 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
- 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 August 9, the Coalition Against Bigger Trucks (CABT) sent a letter to Speaker Johnson (R-LA) and Minority Leader Jeffries (D-NY) along with House Transportation & Infrastructure Committee staff urging them to oppose H.R. 3372. On August 12, Politico wrote an article on the letter mentioning that a coalition of rail and smaller trucking interests and some unions are urging opposition to the bill. Rep. Dusty Johnson (R-S.D.), who introduced the legislation last year with Jim Costa (D-CA), in a statement on August 12 said "we have to ensure our supply chain keeps moving in an efficient manner" and said the bill would "safely overcome regulatory roadblock" in a time when there is "a shortage of more than 80,000 truck drivers." Last year, the House T&I Committee approved the bill 33-27, however the bill has yet to be brought to the floor and there is no companion bill in the Senate. It's also worth noting that the American Trucking Association (ATA) did not respond to comment when Politico reached out.
  - See CABT-led association letter [here](#)
- 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.

## 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>

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

- [August 27, 2024](#). The Federal Railroad Administration (FRA) published a [Notice/Request for Comments](#) (and [here](#)) noting that on August 15, 2024, the National Railroad Passenger Corporation (Amtrak) submitted a request for amendment (RFA) to its FRA-certified positive train control (PTC) system, the Advanced Civil Speed Enforcement System II (ACSES II). **Comments are due by September 16, 2024.**
- [August 16, 2024](#). The [Surface Transportation Board](#) (STB) **announced** that the first meeting of the newly formed Passenger Rail Advisory Committee (PRAC) will be held on October 16, 2024, at 10:00 a.m. E.T. at the Surface Transportation Board headquarters at 395 E Street, S.W., Washington, DC 20423. Potential agenda items for this meeting include the introduction of PRAC members, election of PRAC officers, discussion of topics for the committee to explore and goals for the committee, a presentation by the Board’s Office of Passenger Rail, a briefing for PRAC members on FACA and ethical requirements, and the operation of the committee at future meetings. The PRAC meetings are open to the public and will be held at least twice a year. PRAC Members are listed [here](#).
- [August 13, 2024](#). The Federal Transit Administration (FTA) issued a [Final Rule](#) (and [here](#), and US DOT Press Release [here](#)) for the Public Transportation Safety Certification Training Program (PTSCTP). The final rule clarifies voluntary PTSCTP participation and sets administrative requirements for communication processes between FTA and FTA recipients subject to the requirements of this rule. This final rule also adds new definitions and revises existing definitions to coordinate and align with other FTA programs and safety rulemakings. **The effective date of the final rule is November 1, 2024.** There is a [PTSCTP webinar](#) on September 5, 2024. In related news, the FTA made available its presentation (slide deck) on, “[Public Transportation Agency Safety Plan/National Public Transportation Safety Plan](#).” The webinar highlighted key changes in the updated PTASP regulation.
- [August 2, 2024](#). The [Surface Transportation Board \(STB\) named Anika Sanders Cooper](#) as the agency’s General Counsel. Ms. Cooper has served as Acting General Counsel since January 2024. The Office of the General Counsel provides legal advice to the Board, defends Board actions in court (usually in the U.S. Courts of Appeals) and manages the agency’s ethics, FOIA and records managements functions.
- [August 2, 2024](#). The Federal Railroad Administration (FRA) recently hosted FY 2021-2024 **Restoration and Enhancement (R&E)** and **FY 2023-2024 Railroad Crossing Elimination (RCE)** Notice of Funding Opportunity (NOFO) webinars. Those materials are now available for consumption. The R&E slide deck can be found [here](#), and the RCE slide deck can be found [here](#). See the FRA Webinar Page [here](#), and FRA CY 2024 Grants Calendar [here](#).

### Chart of IJJA funds obligated

<b>IJJA Financial Summary</b>				
(FYs 2022, 2023 and 2024)				
As of: June 2, 2024				
ADMINISTRATION	FUNDING SOURCE	ADJUSTED TOTAL	OBLIGATIONS	PERCENT OBLIGATED
<b>Federal Aviation Administration</b>				
Facilities & Equipment	IJJA Supplemental	3,000,000,000	1,265,436,000	42.2%
Airport Infrastructure Grants	IJJA Supplemental	8,997,000,000	2,398,204,000	26.7%
Airport Terminal Program	IJJA Supplemental	2,997,000,000	2,014,585,000	67.2%
<b>Federal Highway Administration</b>				
Federal-Aid Highways (Trust Fund)	IJJA Contract Auth.	155,854,895,000	120,719,443,000	77.5%
Highway Infrastructure Program	IJJA Supplemental	28,306,279,000	8,256,805,000	29.2%
<b>Federal Motor Carrier Safety Administration</b>				
Operations and Programs (Trust Fund)	IJJA Contract Auth.	1,126,404,000	892,721,000	79.3%
Operations and Programs	IJJA Supplemental	30,000,000	5,183,000	17.3%
Motor Carrier Safety Grants (Trust Fund)	IJJA Contract Auth.	1,517,760,000	995,776,000	65.6%
Motor Carrier Safety Grants	IJJA Supplemental	373,500,000	216,090,000	57.9%
<b>National Highway Traffic Safety Administration</b>				
Operations and Research (Trust Fund)	IJJA Contract Auth.	586,696,000	428,015,000	73.0%
Highway Traffic Safety Grants (Trust Fund)	IJJA Contract Auth.	2,779,369,000	2,733,532,000	98.4%
Operations and Research	IJJA Supplemental	216,500,000	129,699,000	59.9%
Crash Data	IJJA Supplemental	443,500,000	31,912,000	7.2%
Vehicle Safety & Behavioral Research	IJJA Supplemental	119,100,000	56,738,000	47.6%
Supp. Highway Traffic Safety Grants	IJJA Supplemental	186,000,000	127,232,000	68.4%
<b>Federal Transit Administration</b>				
Capital Investment Grans	IJJA Supplemental	4,800,000,000	2,117,532,000	44.1%
All Stations Accessibility Program	IJJA Supplemental	1,049,895,000	363,999,000	34.7%
Elec. Or Low-Emitting Ferry Program	IJJA Supplemental	149,985,000	-	0.0%
Ferry Service for Rural Communities	IJJA Supplemental	599,940,000	44,824,000	7.5%
Transit Infrastructure Grants	IJJA Supplemental	6,163,697,000	2,611,649,000	42.4%
Transit Formula Grants (Trust Fund)	IJJA Contract Auth.	44,410,514,000	16,353,666,000	36.8%
<b>Federal Railroad Administration</b>				
NE Corridor Grants to Amtrak	IJJA Supplemental	3,592,020,000	3,574,648,000	99.5%
National Network Grants to Amtrak	IJJA Supplemental	9,584,000,000	9,399,393,000	98.1%
Consolidated Rail Infrastructure Safety/Improvements	IJJA Supplemental	2,980,000,000	16,300,000	0.5%
State of Good Repair/Fed.-State Partnership	IJJA Supplemental	21,456,000,000	20,700,000	0.1%
Railroad Crossing Elimination	IJJA Supplemental	1,786,903,000	3,134,000	0.2%
Financial Assistance Oversight	IJJA Supplemental	197,010,000	56,985,000	28.9%
<b>Pipeline/Hazardous Materials Safety Administration</b>				
Emergency Preparedness Grans (Fee Based)	IJJA Mandatory	103,442,000	39,417,000	38.1%
Nat. Gas Dist. Infr. Safety & Modernization	IJJA Supplemental	599,940,000	165,510,000	27.6%
<b>Maritime Administration</b>				
Operations and Training	IJJA Supplemental	25,000,000	9,937,000	39.7%
Port Infrastructure Development Program	IJJA Supplemental	1,350,000,000	104,948,000	7.8%
<b>Office of the Inspector General</b>				
Division J Transfers	IJJA Supplemental	12,972,000	-	0.0%
<b>Office of the Secretary of Transportation</b>				
Asset Concessions	IJJA Mandatory	57,720,000	-	0.0%
TIFIA Highway Trust Fund Transfers	IJJA Contract Auth.	678,899,000	17,773,000	2.6%
National Infrastructure Investments	IJJA Supplemental	7,350,000,000	224,951,000	3.1%
SMART Grants	IJJA Supplemental	294,000,000	92,784,000	31.6%
Safe Streets and Roads for All	IJJA Supplemental	2,940,000,000	254,128,000	8.6%
National Culvert Remov., Replcmt., Restoration	IJJA Supplemental	588,000,000	-	0.0%
Operational Support	IJJA 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**

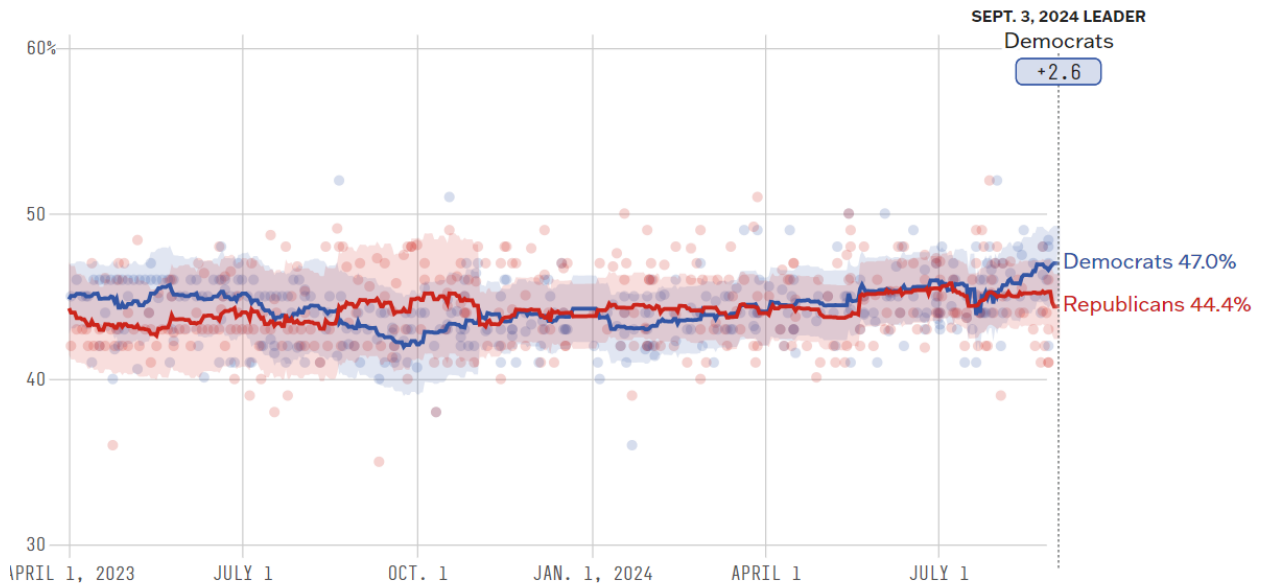
<b>Month Est.</b>	<b>Notice of Funding Opportunity (NOFO)</b>	<b>Operating/Admin. Office</b>
August 2024	Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT)	FHWA
Summer 2024	Neighborhood Access and Equity Grants	Office of the Sec.
September 2024	Federal-State Partnership for Intercity Passenger Rail (National)	FRA
September 2024	Rural and Tribal Assistance Pilot Program.	Office of the Sec.
Fall 2024	Reduction of Truck Emissions at Port Facilities	FHWA
Fall 2024	Local and Regional Project Assistance Grants (RAISE)	Office of the Sec.
Winter 2024	Building Resilient Infrastructure and Communities Program	DHS/FEMA

**POLITICAL ENVIRONMENT**

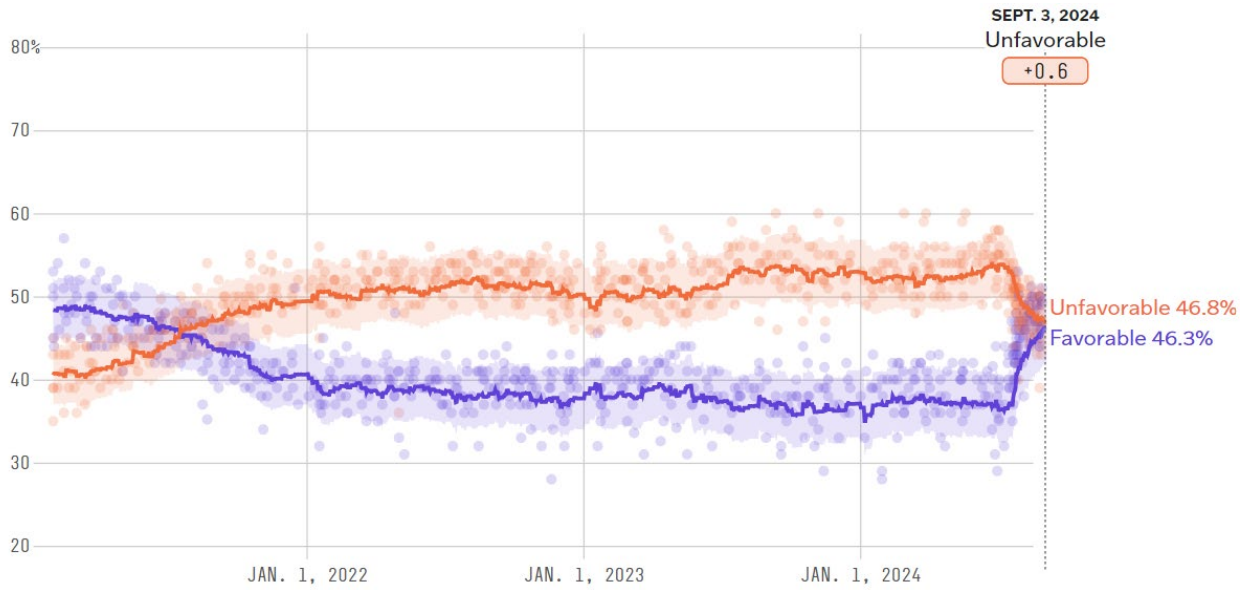
- See latest polls below on voters’ opinions of which party they would support in an election for Congress (slight favorability for Democrats):

**Do voters want Republicans or Democrats in Congress?**

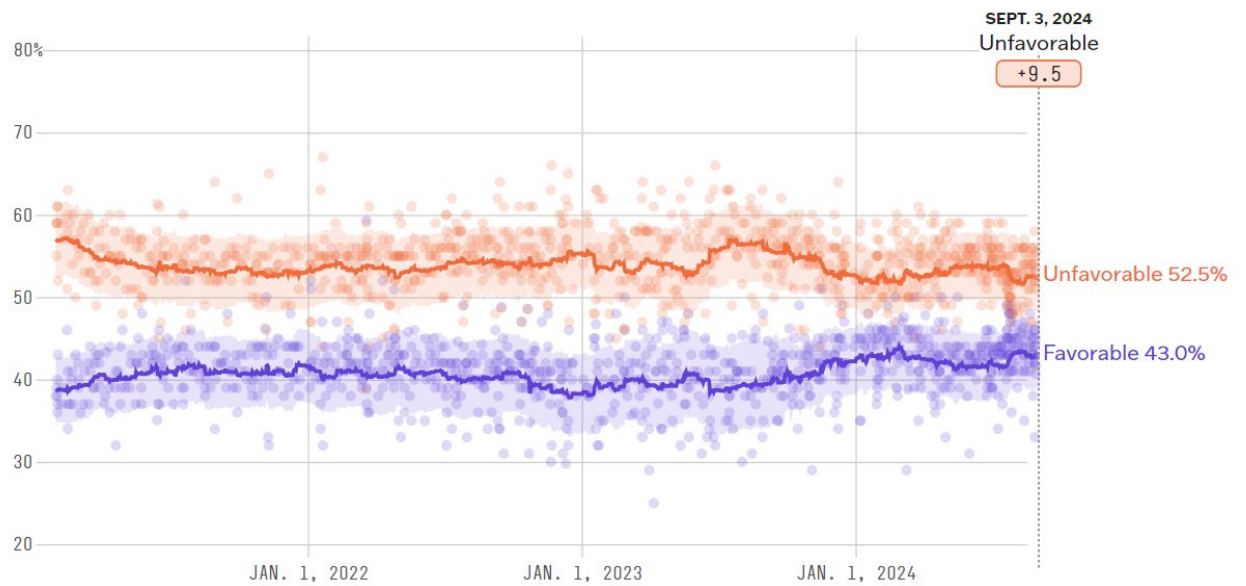
An updating estimate of the generic congressional ballot, based on polls that ask people which party they would support in an election.



- Below charts show the favorability of candidates Kamala Harris (D) and Donald Trump (R)
  - Kamala Harris:



○ Donald Trump:



- Current split for the 118<sup>th</sup> Congress  
 Senate: **51 Democrats** – **49 Republicans**  
 House: **220 Republicans** – **213 Democrats**