



TGA ASSOCIATION MANAGEMENT SOLUTIONS, LLC

TO: Railway Systems Suppliers, Inc. (“RSSI”)
FROM: TGA Association Management Solutions, LLC (“TGA AMS”)
RE: Monthly Legislative Report for September 2022
DATE: October 3, 2022

KEY UPDATES

- On September 30, Congress passed a Continuing Resolution to keep the government funded through December 16, 2022
 - Congress is in recess now until after the November midterm elections
 - Work on funding government accounts beyond Dec. 16 and other year-end items will occur during the lame duck session of Congress post-November elections
- On September 15, the White House [announced](#) that the railroads and labor unions reached a tentative agreement to stave off a potential labor strike and work stoppage. The agreement calls for (and must now be ratified by union membership in October):
 - An immediate wage increase (once the contract is ratified) of 14 percent;
 - A 4.0 percent wage increase in 2023 and a 4.5 percent wage increase in 2024;
 - Wage increases of 3 percent effective July 1, 2020, a 3.5 percent wage increase effective July 1, 2021, and a 7 percent wage increase effective July 2022, to be fully retroactive – for a compounded increase of 24 percent over the five-year term of the agreement;
 - Five annual \$1,000 lump-sum bonus payments;
 - There are no changes to health insurance copays or deductibles in the new deal
- House T&I Committee postponed indefinitely a freight rail service hearing and a mark up of an STB reauthorization bill
- On September 28-30, the STB held public hearings on the merits of the CP-KCS merger
- Federal discretionary grants:
 - FRA CRISI NOFO [released](#) on September 1, grants due Dec. 1
 - USDOT INFRA grant awards [announced](#) on September 15
 - USDOT SMART infrastructure grants NOFO [released](#) on September 19
 - FRA rail crossing elimination grant deadline extended to October 11

FY2023 APPROPRIATIONS

- On September 30, Congress passed a Continuing Resolution to fund government accounts through December 16, 2022
 - Work on an omnibus bill for the remainder of FY23 will continue after the November elections
- Senate Appropriations Committee released its FY23 Transportation-HUD Appropriations bill on July 28. See bill [here](#) and committee report [here](#)
- House Appropriations Committee marked up its FY23 Transportation-HUD Appropriations bill on June 30 and the full House passed the bill on July 20. See bill [here](#) and committee report [here](#)
- See updated Appropriations table below for more details:

	FY22 House	FY22 Senate	Omni FY22	IIJA FY22	Total FY22	House FY23	Senate FY23
TIGER/BUILD/RAISE	\$1.2b	\$1.09b	\$775m	\$1.5b	\$2.275b	\$775m	\$1.09b
FRA including Amtrak	\$2.7b	\$2.7b	\$2.33b	\$4.4b	\$6.73b	\$2.35b	\$2.6b
<i>CRISI</i>	\$500m	\$522.8m	\$625m	\$1b	\$1.625b	\$630m	\$534.5m
<i>Fed-State SOGR Partnership</i>	\$0	\$220m	\$100m	\$7.2b	\$7.3b	\$555m	\$200m
<i>PRIME grants</i>	\$625m	\$0	\$0	\$0	\$0	\$0	\$0
<i>Rail Restoration/Enhancement</i>	\$0	\$2m	\$0	\$50m	\$50m	\$0	\$0
<i>MagLev</i>	\$5m	\$0	\$0	\$0	\$0	\$0	\$0
RRIF CRP Subsidy	\$0	\$10m	\$0	\$50m	\$50m	\$0	\$0
Section 130 grade crossing set-aside	\$245m	\$245m	-	\$245m	\$245m	\$245m	\$245m
<i>Grade crossing elimination</i>			-	\$600m	\$600m	\$0	\$0
FTA New Starts	\$2.5b	\$2.25b	\$2.25b	\$1.6b	\$3.85b	\$3.012b	\$2.51b
FTA Formula funds	\$12.8b	\$10.8b	-	\$13.355b	\$13.355b	\$13.634b	\$13.634b
WMATA Special Appropriation	\$150m	\$150m	\$150m	-	\$150m	\$150m	\$150m

INFLATION REDUCATION ACT/BUILD BACK BETTER (BBB) ACT/BUDGET RECONCILIATION

- Budget reconciliation is a process through which only requires 50+1 votes in the Senate that Democrats are attempting to push many social spending programs
- In a breakthrough amidst a flurry of legislative activity before the August recess, on August 7 the Senate passed the **Inflation Reduction Act of 2022** and the House followed suit on August 12. President Biden signed the bill into law on August 16. The bill will target climate change, curb healthcare costs, impose a 15 percent minimum corporate tax (raising about \$313 billion over a decade), and will increase IRS enforcement. The bill is said to raise a total \$739 billion over 10 years with \$370 billion in expenditures to be funneled to energy and climate efforts that will reduce carbon emissions by 40 percent by 2030, another \$64 billion is to extend Affordable Care Act health care subsidies for three years. See one-page summary [here](#). The bill includes \$50b in transportation related funding but nothing specifically for rail.

CHINA TRADE & COMPETITIVENESS BILL

- A revised and slimmed down version of the previously passed bills in the House (COMPETES Act) and Senate (USICA) was passed by Congress. The new bill, “CHIPS and Science Act of 2022” was sent to President Biden and signed into law. See summary [here](#)
 - The bill provides \$52 billion for U.S. companies producing computer chips, as well as billions more in tax credits to encourage investment in chip manufacturing. It also provides tens of billions of dollars to fund scientific research, and to spur the innovation and development of other U.S. technologies.

SURFACE TRANSPORTATION BOARD

- Current STB members:
 - **Chairman Martin Oberman (Democrat):** Former Chairman of Metra in Chicago. Named STB Chairman at the beginning of the Biden administration

- **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
- **Vice Chair 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 year in leadership roles with SEPTA and had a career in law before that
- The STB has broad regulatory oversight of railroads and is a key agency to monitor. At the beginning of January, after being confirmed easily by the Senate, STB nominees Michelle Schultz and Robert Primus started their five-year terms on the STB as board members. It represents the first time the board has had its full complement of five members since the 2015 STB Reauthorization Act expanded the board from three to five
- The most high-profile item before the STB this year has been the potential merger between Canadian Pacific and Kansas City Southern, but the board is also still considering several major rules with huge implications for the railroads: 1) forced access/reciprocal switching and 2) NPRMs on shipper/railroad rate disputes
 - On May 6, 2022, the Surface Transportation Board (STB) **announced** that it will require certain railroads to submit service recovery plans as well as provide additional data and regular progress reports on rail service, operations, & employment. **BNSF, CSX, Norfolk Southern (NS) & Union Pacific (UP)** have submitted service recovery plans. The plans can also be found **here**
 - The STB held public meetings on April 26 and 27 to discuss rail service issues
 - Class Is mostly got grilled for how they have handled cargo amid continued supply chain disruptions. STB Chair Oberman made it clear that he's frustrated with the railroad industry's excessive delays, fees and failures to ship goods at agreed upon dates and times
 - The **STB approved the CSX-Pan Am merger** on April 14
 - The STB held a **Public Meeting** on March 15-16 concerning the forced access/reciprocal switching regulations
 - **AAR statement opposing** this effort
 - See the US Department of Justice comments on reciprocal switching **here** and other comments **here** (type in EP 711 on Docket Number box)
 - Also, see Railway Age article, "**A Primer on Reciprocal Switching.**"
 - On March 23, the STB issued a decision allowing supplemental written comments and extending the ex parte communications period in the Reciprocal Switching proceeding. Following the March 15/16 hearing, the **STB decided to allow interested persons to file supplemental written comments** limited to issues raised at the hearing or in written materials submitted in response to the Board's December 28, 2021 notice
 - Regarding CP-KCS
 - On September 28-30, public hearings took place in DC to review the proposed merger's merits
 - On August 5, STB issued a **draft EIS**
 - Public meetings regarding the environmental issues were held across the country from Sept. 12-19
 - Comments on the EIS are now due on October 14 (originally Sept. 26)

- On July 25, a [letter of opposition](#) was sent by Senators Durbin, Duckworth and Reps. Newman and Krishnamoorthi
- On July 22, the STB [announced](#) that it will hold a three-day public hearing on the proposed merger between Canadian Pacific Railway Limited (CP) and Kansas City Southern Railway Company (KCS) on September 28, 29, and 30, 2022 at the agency’s headquarters in Washington, DC. The Board is also modifying the procedural schedule so that final briefs will be due by October 14, 2022, after the public hearing
- On June 22, three Commissioners (of the five Commissioners) of the Federal Maritime Commission [filed a letter](#) with the Surface Transportation Board to “respectfully urge the Surface Transportation Board to disapprove of the consolidation of the railroad systems of the CP and the KCS.” The rationale, as explained in the letter from the Commissioners notes that, “the proposed merger will adversely impact U.S. ports and the primarily U.S.-based intermodal railway systems that serve our ports, and would disproportionately benefit Canadian ports and the primarily Canadian-based intermodal railway systems that service Canadian ports for transportation of U.S.- bound cargo.” The Commissioners logging their concerns with the merger are Carl Bentzel (Republican), Louis Sola (Republican) and Max Vekich (Democrat)
- On June 14, Metra said that new analysis shows CP-KCS merger would vastly increase commuter train delays, more info [here](#)
- On March 16, the STB noted that CP submitted 2019 baseline GT/M data for CP and KCS lines that is different from data in the Master Segment Table that was submitted. And on Feb 28, CN formally requested, via a [Responsive Application](#), to the STB to divest the parallel Springfield Line to CN’s as a condition of any approval of the proposed CP-KCS merger. CN argued that, “Allowing CP to consolidate control over two routes between Kansas City, on the one hand, and Chicago, Detroit, and Eastern Canada, on the other hand, would diminish competitive alternatives for rail customers— particularly because the CP-KCS application makes clear that CP will favor its existing Chicago-Kansas City route over potential routings involving the parallel Springfield Line.” CN has also intimated that it will invest in the creation of the Kansas City Speedway, if granted control over the line, bringing significant environmental benefits by removing 80,000 trucks a year from the road

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

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

WH technical asst guide (NEW)	USDOT BIL NOFO Tracker
Section 130 program BIL fact sheet	Brookings Online Hub
CRS Report on FHWA programs in IIJA	CRS Report on passenger rail programs in IIJA
White House Guidebook	Updated WH Fact Sheet
White House Fact Sheet	USDOT State Fact Sheets
AASHTO IIJA Summary 9 15 2021	APTA IIJA Passenger Rail Investment
ARTBA IIJA Summary 8 2 2021	FTA Key Priorities
IIJA Summary	CBO Score of IIJA
National Association of Regional Councils	Dept. of Energy IIJA Fact Sheet

National Association of Counties NACo	T&I Links to Excel Apportionment Charts
APTA IJA Public Transportation Investment	AASHTO Implementation Outline for IJA

- As a reminder, \$1.2 trillion five-year bill was signed into law on November 15
 - Bill includes \$550 billion in new spending
 - \$66 billion for passenger and freight rail
 - \$36B Fed-State Partnership for Intercity Passenger Rail grants
 - \$16B Amtrak National Network
 - \$6B Amtrak NEC
 - \$5B FRA CRISI grants
 - \$3B new FRA rail crossing elimination program
 - \$39 billion for transit
 - \$19.15B increased contract authority for formula funding
 - \$4.75B State of Good Repair
 - \$8B FTA CIG/New Starts
- Other key grant programs in the bill
 - New Megaprojects grant program (freight and passenger rail eligible) funded at \$10B
 - USDOT RAISE (formerly BUILD or TIGER grants) funded at \$7.5B
 - USDOT INFRA grants funded at \$3.2B
 - \$50M/year to subsidize credit risk premium for RRIF loans
- ***Key programs of importance to RSSI**
 - New rail crossing elimination grant program funded at \$3B
 - Section 130 funded at \$245M/year from FY 2022-2026 with several key policy changes:
 - The bill removes the requirement that at least half of the funds set aside for the Section 130 program must be for the installation of protective devices at railway-highway crossings
 - The bill increases the Federal share for projects funded under the Section 130 program from 90 to 100 percent, as well as clarifies that the replacement of functionally obsolete warning devices is an eligible expense
 - The bill also increases the amount of state incentive payment at-grade crossing closures from \$7,500 to \$100,000 and increases the set-aside for compilation and analysis of data from 2 percent up to 8 percent
 - Regarding eligibility, the bill emphasizes eligibility for projects to reduce pedestrian fatalities and injuries from trespassing at grade crossings, and states that it is the sense of Congress that the DOT should, where feasible, coordinate efforts to prevent or reduce trespasser deaths along railroad rights-of-way and at or near railway highway crossings
 - This section also requires the Comptroller General of the United States to submit a report that includes an analysis of the effectiveness of the Section 130 program as a set-aside within HSIP
 - FRA CRISI grants funded at \$5B
 - Expands eligibility to include rehabilitating, remanufacturing, procuring, or overhauling locomotives that result in a significant reduction in emissions; researching, developing, and testing innovative rail technology; and developing and implementing measures to prevent trespassing and reduce injuries and fatalities
- Other key provisions:
 - Codifies the One Federal Decision executive order which streamlines the permitting process by consolidating decision-making processes and expediting deadlines.

- FRA Railroad Research and Development program funded an average of \$45 million per Fiscal Year
 - Including up to \$4.5 million per FY for grants to establish and maintain a Center of Excellence to advance the safety, efficiency, and reliability of rail
- Includes a Highway Cost Allocation Study, the first since 1997. This study will help Congress better ensure different highway users, including commercial motor vehicles, cover their fair share of costs to maintain our nation’s roads and bridges
- Includes National Motor Vehicle Per-Mile User Fee (VMT) Pilot program to demonstrate a national VMT, including for commercial motor vehicles, to restore and maintain long-term solvency of the Highway Trust Fund
- Establishes an FRA blocked crossings portal pilot program
- What is notably NOT in the bill
 - No changes were made to the federal truck size or weights
 - Minimum crew size mandates
 - LNG by rail prohibition
 - Restrictive labor provisions
 - Yardmaster HOS

CONGRESSIONAL HEARINGS

- September 29, 2022. The House Committee on Transportation and Infrastructure held a full committee hearing on, “Investing in our Nation’s Transportation Infrastructure and Workers: Why it Matters.” The purpose of the hearing was for Members to hear from stakeholders on how the American Rescue Plan Act of 2021, the Infrastructure Investment and Jobs Act, and the Inflation Reduction Act of 2022 have impacted American families, workers, and communities. [Committee Link and Testimony](#). **Covered by TGA AMS – summary available upon request**
- September 21, 2022. The Senate Committee on Environment and Public Works held a hearing to discuss and receive testimony on, “Putting the Bipartisan Infrastructure Law to Work: The State and Local Perspectives.” Among others, Jim Tymon of AASHTO provided testimony. [Committee Link and Testimony](#). Discussions, in part, centered on the [FHWA Guidance Memo of December 16, 2021](#) that suggested that state agencies prioritize maintenance of infrastructure projects over new projects, a policy supported by the Biden Administration but challenged by Republicans. See Senator Susan Collins press release [here](#). **Covered by TGA AMS – summary available upon request**
- September 14, 2022. The Senate Committee on Environment and Public Works held a hearing on the nomination of Shailen P. Bhatt to be Administrator of the Federal Highway Administration. [*The FHWA has operated without a Senate-confirmed administrator for the first 20 months of the Biden administration.*] [Shailen Bhatt](#) is Senior Vice President of Global Transportation Innovation and Alternative Delivery at AECOM, a multinational infrastructure consulting firm. Mr. Bhatt’s confirmation will likely occur this fall upon action by the Senate Environment and Public Works Committee and a vote from the full Senate. Bhatt biography [here](#). [Committee Link](#).
- September 7, 2022. The Senate Committee on Commerce, Science and Transportation held a Nomination Hearing to consider several Presidential nominations. The nominations that were considered were: **David M. Capozzi** to be a Director of the Amtrak Board of Directors; **Anthony R. Coscia** to be a Director of the Amtrak Board of Directors; **Christopher Koos** to be a Director of the Amtrak Board of Directors; **Sam E. Lathem** to be a Director of the Amtrak Board of Directors; **Robin L. Wiessman** to be a Director of the Amtrak Board of Directors; and **Robert Primus** to be a Member of the Surface Transportation Board. The nominees testified and answered questions in their own behalf. In related news, President Biden nominated [Joel Matthew Szabat](#) as a

nominee for Member of the AMTRAK Board of Directors on September 7, 2022. [Committee Link](#)

U.S. DEPARTMENT OF TRANSPORTATION/FRA/FTA

- [September 21, 2022](#). The Federal Railroad Administration (FRA) issued a [NOFO/Extension of Application Submittal Period](#) (and [here](#)) extending the application submittal period for the [Railroad Crossing Elimination Grant Program \(RCE Program\)](#) **from October 4, 2022 to October 11, 2022**.
- [September 21, 2022](#). The Federal Transit Administration (FTA) issued a [notice](#) extending the application submittal period for the [All Stations Accessibility Program](#) **from September 30, 2022 to October 7, 2022**.
- [September 21, 2022](#). The Federal Railroad Administration (FRA) issued a [Proposed Rulemaking/Extension of Comment Period](#) (and [here](#)) concerning a Notice of Proposed Rulemaking published on July 28, 2022 that would require establishing safe minimum requirements for the size of train crews, depending on the type of operation. FRA is announcing a 67-day extension to the original comment period, which ends on September 26, 2022, and announcing that it will schedule a public hearing (within the extended comment period) in a forthcoming notification to provide interested persons an opportunity to comment on the proposal and to discuss further development of the regulation. **FRA must receive written comments on the proposed rule by December 2, 2022**.
- [September 20, 2022](#). The Federal Highway Administration (FHWA) [announced](#) \$59.7 million in five grant awards under the Commuter Authority Rail Safety Improvement (CARSI) program. Grants for the five projects, awarded by FHWA in coordination with the Federal Railroad Administration (FRA) and Federal Transit Administration (FTA), will be used to make highway-rail crossings safer for all parties. The CARSI competitive grant allocations consist of two rounds. In January 2021, USDOT awarded five grants totaling \$40.2 million for CARSI Round One projects. The CARSI Round Two grant recipients announced are as follows: **1.) \$12.5 million to the Southern California Regional Rail Authority (SCRRA); 2.) \$12.9 million to the Southern Florida Regional Transportation Authority (SFRTA); 3.) \$4.4 million to the New York State Department of Transportation and the Metro North Railroad (MNR); 4.) \$14.9 million to the New York State Department of Transportation and the Long Island Railroad (LIRR); and 5.) \$15 million to the Southeastern Pennsylvania Transportation Authority (SEPTA)**. The IIJA continues the annual set-aside for railway-highway crossing improvements from the Highway Safety Improvement Program (HSIP) apportionment. The annual set-aside is \$245 million from FY 2022 through FY 2026.
- [September 20, 2022](#). The Federal Railroad Administration (FRA) is making available \$3.113 billion in funding for the [National Network IIJA Supplemental Cooperative Agreement to Amtrak](#) and \$1.189 billion for the [Northeast Corridor IIJA Supplemental Cooperative Agreement to Amtrak](#). Amtrak is the only entity eligible to apply.
- [September 19, 2022](#). The US DOT issued a Notice of Funding Opportunity (NOFO) making available \$100 million in funding under the [FY 2022 Strengthening Mobility and Revolutionizing Transportation \(SMART\) Grants Program](#). The purpose of the [SMART Grants Program](#) is to conduct demonstration projects focused on advanced smart city or community technologies and systems in a variety of communities to improve transportation efficiency and safety. US DOT expects to award between 30 and 50 Stage 1 grants of up to \$2 million per award. Eligible applicants include: States, political subdivisions of States, public transit agencies, public toll authorities, MPOs, et al. Cost sharing or matching is not required for State 1 Planning and Prototyping. US DOT will host a “How to Apply” webinar for prospective applicants on Thursday, September 29, 2022 from 2:30 to 4:00 PM ET (register [here](#)). **Applications must be submitted by 5:00 PM EST on November 18, 2022**.

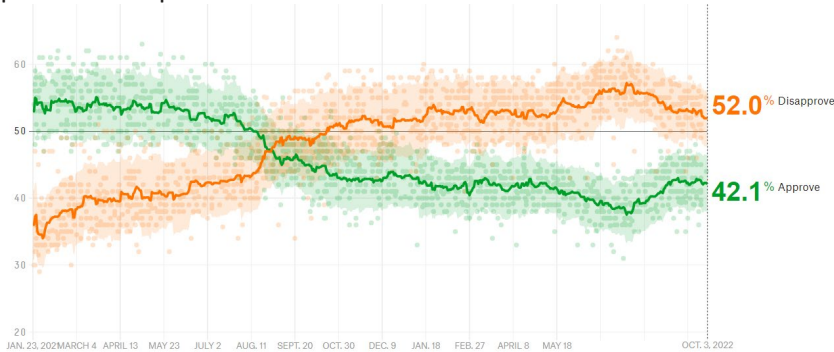
- September 19, 2022. The Federal Highway Administration (FHWA) issued a Notice of Funding Opportunity (NOFO) making available \$60 million under the [FY 2022 Advanced Transportation Technologies and Innovative Mobility Deployment \(ATTIMD\) Program](#) (aka the Advanced Transportation Technology and Innovation (ATTAIN) Program). The purpose of the ATTIMD program is to deploy, install, and operate advanced transportation technologies to improve safety, mobility, efficiency, system performance, intermodal connectivity, and infrastructure return on investment. A single grant recipient may not receive more than \$12 million in one fiscal year.

FHWA anticipates making not less than 5 and not more than 10 awards for this FY. Eligible Applicants are State or local governments, transit agencies, metropolitan planning organizations (MPOs), or other political subdivisions of a State or local government (such as publicly owned toll or port authorities), or a multijurisdictional group or consortia of research institutions or academic institutions. Cost-sharing or matching is required, with the maximum Federal share being 80 percent; hence, the NOFO requires a minimum non-Federal cost share of 20 percent. A virtual webcast on Background and Application Information for the ATTAIN program is scheduled for October 12, 2022. **Applications are due by November 18, 2022 at 11:59 PM ET**
- September 14, 2022. US DOT [announced](#) \$1.515 billion in 26 awards from the Infrastructure for Rebuilding America (INFRA) competitive grant program for highway, multimodal freight and rail projects. A full list of the INFRA 2022 awards can be found [here](#). The largest grants were received by California (\$150 million), Ohio (\$127 million), New York (\$110 million) and Michigan (\$104 million). For details of the INFRA grants program click [here](#).
- September 13, 2022. The Federal Transit Administration (FTA) recently published the [FTA Standards Development Program: Mitigations for Trespasser and Suicide Fatalities and Injuries](#). The report covers mitigation strategies, existing and emerging technology that can detect and/or prevent rail transit trespassing and suicides, and research findings for mitigations, injuries and fatalities associated with trespassing and suicide events.
- September 12, 2022. The US DOT (FTA, NHTSA and FRA) is promoting a campaign entitled, [“Stop. Trains Can’t.”](#) The goal of the campaign is to raise awareness about the need for rail-safety education and to empower the general public and to keep themselves and others safe near highway-rail grade crossings and railroad rights-of-way. **The campaign runs September 12–December 14, 2022.**
- September 9, 2022. Operation Lifesaver, Inc. (OLI), announced that the [application period is open](#) for its competitive **Rail Transit Safety** grant program. Each grant will award up to \$20,000 and require non-federal matching funds of at least 25 percent of project costs. **Education Grants.** The grants offer a total of \$200,000 in funding for transit agencies and government entities that provide transit service to conduct rail transit safety education and public awareness initiatives. **All applications must be submitted by October 17, 2022.** Grant awards will be announced by December 1, 2022. See information sheet [here](#).
- September 1, 2022. The Federal Railroad Administration (FRA) issued a [Notice of Funding Opportunity](#) (NOFO) (and [here](#) and [here @ Grants.Gov](#)) making available \$1,427,462,902 under the FY 2022 Consolidated Rail Infrastructure and Safety Improvement Program. [*The NOFO is also seeking applications for projects under the Magnetic Levitation Technology Deployment Program.*] The purpose of the CRISI Program is to invest in a wide range of projects within the United States to improve railroad safety, efficiency, and reliability; mitigate congestion at both intercity passenger and freight rail chokepoints to support more efficient travel and goods movement; enhance multi-modal connections; and lead to new or substantially improved Intercity Passenger Rail Transportation corridors. There are no predetermined maximum dollar thresholds for individual awards. FRA anticipates making multiple awards with the available funding. See NOFO for eligible applicants. The Federal share of total costs for CRISI Program projects funded under this notice shall not exceed 80 percent. The minimum 20 percent non-

Federal share may be comprised of public sector funding (e.g., State or local) or private sector funding. See FRA press release [here](#) and CRISI program information [here](#). **Applications are due by 5 p.m. ET on December 1, 2022**

POLITICAL ENVIRONMENT

- President Biden's approval had fallen continuously the past 12 months until a recent surge upward in the past two months



- Current split in the 117th Congress
Senate: **50 Democrats** – **50 Republicans** (VP Harris the tiebreaker)
House: **220 Democrats** – **212 Republicans**
- As we near 2022 elections, Republicans have felt good about their odds to retake Congressional majorities next year. The polls have consistently reflected that until now, however there has been a recent Democratic uptick and the win in the NY-19 and AK-AL special elections has buoyed some hopes for the Democrats to hold the Senate. The House is still very likely to flip to Republican control. The Democrats are still slightly favored to retain the Senate but the margins are razor thin.
- Wave of Democratic retirements (31 House Dems [have announced](#) their retirement)