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 APTA Legislative

**April 23, 2009**

**CLIMATE CHANGE LEGISLATION MOVING IN THE HOUSE –  
HOUSE TRANSPORTATION & INFRASTRUCTURE COMMITTEE OFFERS TIMELINE FOR  
CONSIDERATION OF SURFACE TRANSPORTATION AUTHORIZATION BILL-  
AMERICAN RECOVERY AND REINVESTMENT ENERGY GRANTS NOW AVAILABLE**

**House Climate Change Bill Under Development;  
APTA Members Urged to Contact Members of the Energy and Commerce Committee!**

The House Energy and Commerce Committee is holding a series of hearings this week in preparation for the Energy and Environment Subcommittee markup of the "American Clean Energy Security Act of 2009," the draft climate legislation sponsored by Chairman Henry Waxman (D-CA) and Energy and Environment Subcommittee Chairman Ed Markey (D-MA). The draft bill proposes a new cap-and-trade program to reduce U.S. emissions of greenhouse gases, and it includes a section that would establish emission reductions goals for the transportation sector (Sec. 841, Greenhouse Gas Emissions Reductions Through Transportation Efficiency).

The current draft bill does not assign any revenue from emissions allowance auctions or make any other funding decisions, but that could change soon. The Energy and Environment Subcommittee is expected to hold its markup during the week of April 27, and committee leaders could begin making funding decisions this week.

APTA President Bill Millar sent a letter to Chairman Waxman asking that 10 percent of emission allowance revenue be dedicated to investment in public transportation and other emission-reducing transportation infrastructure. A copy of the letter can be found [here](#). The APTA Intergovernmental Issues Subcommittee and APTA staff have also developed a set of "Discussion Principles" to highlight transit industry priorities under a cap-and-trade program. To view the principles, click [here](#).

**ACTION ALERT:**

APTA urges its members to immediately contact members of the committee that represent your agency, business, or region, including Chairman Waxman and Subcommittee Chairman Markey. When you talk to members of the committee, please ask the following:

- Urge the Committee to dedicate no less than **10 percent** of allowance revenue created under a cap-and-trade program to investment in public transportation and transportation infrastructure that reduces greenhouse gas emissions.

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- Explain that transportation is responsible for one-third of carbon dioxide emissions (CO<sub>2</sub>) and that current public transportation use already saves 4.2 billion gallons of fuel and prevents the emission of 37 million metric tonnes of CO<sub>2</sub> annually.
- Ask that revenue derived from transportation fuels under a cap-and-trade program be reinvested in transportation infrastructure.
- Request that climate change legislation provide assistance to public transportation to offset increases in the cost of fuel and electricity under a cap-and-trade program in order to prevent service reductions. Transit systems are exempt federal motor fuels taxes, and this principle should be extended to climate change legislation.

## **Members of the House Energy and Commerce Committee**

### **Democrats**

Henry A. Waxman, CA, Chair

John D. Dingell, MI, Chair Emeritus

Edward J. Markey, MA

Rick Boucher, VA

Frank Pallone, Jr., NJ

Bart Gordon, TN

Bobby L. Rush, IL

Anna G. Eshoo, CA

Bart Stupak, MI

Eliot L. Engel, NY

Gene Green, TX

Diana DeGette, CO

Lois Capps, CA

Mike Doyle, PA

Jane Harman, CA

Jan Schakowsky, IL

Charles A. Gonzalez, TX

Tammy Baldwin, WI

Mike Ross, AR

Anthony D. Weiner, NY

Jim Matheson, UT

G.K. Butterfield, NC

Charlie Melancon, LA

John Barrow, GA

Baron P. Hill, IN

Doris O. Matsui, CA

Donna M. Christensen, VI

Kathy Castor, FL

John P. Sarbanes, MD

Christopher S. Murphy, CT

Zachary T. Space, OH

Jerry McNerney, CA

Betty Sutton, OH

Bruce L. Braley, IA

Peter Welch, VT

### **Republicans**

Joe Barton, TX, Ranking Member

Ralph M. Hall, TX

Fred Upton, MI

Cliff Stearns, FL

Nathan Deal, GA

Ed Whitfield, KY  
John Shimkus, IL  
John B. Shadegg, AZ  
Roy Blunt, MO  
Steve Buyer, IN  
George Radanovich, CA  
Joseph R. Pitts, PA  
Mary Bono Mack, CA  
Greg Walden, OR  
Lee Terry, NE  
Mike Rogers, MI  
Sue Wilkins Myrick, NC  
John Sullivan, OK  
Tim Murphy, PA  
Michael C. Burgess, TX  
Marsha Blackburn, TN  
Phil Gingrey, GA  
Steve Scalise, LA

### **House Transportation & Infrastructure Committee Working on Surface Transportation Authorization Bill**

House Transportation and Infrastructure Committee Chairman James Oberstar (D-MN) has set a tentative timeline for consideration of the next surface transportation authorization bill, to replace the Safe, Accountable, Flexible, Efficient Transportation Equity Act for the 21st Century – A Legacy for Users (SAFETEA-LU), which expires on September 30, 2009. The Chairman and his staff have indicated that the committee plans to complete a draft of the legislation by mid-May for consideration by the full committee prior to the Memorial Day recess, which begins on May 29. The Chairman then hopes to have the legislation on the House floor sometime in mid-June. Although these dates are subject to change, the timeline signals the committee's commitment to moving this legislation soon. Committee staff have indicated that they are currently in the process of drafting the legislation. Few details of the content of the Chairman's bill are available at this time, and it is unclear when the Ways and Means Committee will begin moving a financing title. Chairman Oberstar has sent a letter to House Members asking for the submission of project requests and legislative language prior to May 8. In the meantime, Secretary of Transportation Ray LaHood has indicated that the Administration is developing a set of principles for the authorization bill, which will be released in the near future. APTA will provide more information as it becomes available.

#### **ACTION ALERT:**

APTA urges all members to arrange meetings with your Representatives and Senators to brief them on APTA's Recommendations for Federal Surface Transportation Authorization Legislation. The recommendations can be found [here](#).

- Remind your legislators that the authorization legislation should provide no less than \$123 billion for public transportation over the six year authorization period.
- Explain to your legislators that APTA, along with several of its coalition partners and the two commissions chartered under SAFETEA-LU, strongly support an increase in the motor fuels user fee to finance growth in the transit and surface transportation programs.
- Explain to your legislators the importance of completing the authorization bill prior to the expiration of SAFETEA-LU on September 30, so that transit systems can continue to make uninterrupted investments to meet growing demand and continue to realize the national benefits that public transportation delivers.

**FTA Issues Grant Guidance for the Transit Investments for Greenhouse Gas and Energy (TIGGER) Program**

The Federal Transit Administration (FTA) has published guidance and grant application instructions for the Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER) Grant Program. Through the American Recovery and Reinvestment Act (ARRA), Congress made \$100 million available to public transit agencies for capital investments to assist in reducing energy consumption and/or greenhouse gas emissions. Examples of these investment include replacement of existing buses with more energy efficient models (hybrid, fuel cell), conversion to more efficient control technology vehicles and construction or rehabilitation of transit system facilities. Grants may range from \$2 million to \$25 million, and transit agencies may apply together to reach minimum funding threshold requirements. The application deadline for this program is May 29, 2009. For additional FTA grant guidance, click [here](#).

### **U.S. Department of Energy Issues Grant Guidance for ARRA State and Local Block Grants, Alternative Fueled Vehicles Pilot Grant Program and Transportation Electrification Program**

The U.S. Department of Energy (DOE) recently published guidance on the Energy Efficiency and Conservation Block Grant (EECBG) Program, funded under the American Recovery and Reinvestment Act (ARRA).

The ARRA appropriated \$3.2 Billion for the Energy Efficiency and Conservation Block Grant (EECBG) Program within the U.S. Department of Energy. The program was authorized in Title V, Subtitle E of the Energy Independence and Security (EISA) Act of 2007. Eligible activities under this program include developing programs to conserve energy used in transportation (e.g., flex time by employees, satellite work centers, promotion of zoning requirements that promote energy efficient development, transportation infrastructure: bike lanes/pathways, pedestrian walkways); implementing building codes and inspection services to promote building energy efficiency; and developing, implementing, and installing on or in any government building onsite renewable energy technology that generates electricity from renewable resources. Over \$2.6 billion in formula grants are now available to U.S. states, territories, local governments and Indian tribes under this Program. Specifically,

- nearly \$1.9 billion is available to cities and counties,
- more than \$770 million is available to states, U.S. territories, and the District of Columbia,
- nearly \$54 million is available to Indian tribes.

To see a list of entities eligible for formula grants and allocation amounts, click [here](#). To obtain a copy of the Funding Opportunity Announcement, which contains complete information for grantees on the program and application process, go to [FedConnect](#) and search for Reference Number DE-FOA-0000013.

**Deadline** -- The application due date for states is **May 26, 2009**, at 8:00:00 PM Eastern Time. The application due date for cities, counties, and Indian tribes eligible for direct formula grants from the DOE is **June 25, 2009**, at 8:00:00 PM Eastern Time.

There will also be approximately \$455 million for competitive grants, which will be awarded through a separate Funding Opportunity Announcement to be announced at a later date.

For the full detail on this program, please visit the Department of Energy website at <http://www.eecbg.energy.gov/#f1>.

### **Clean Cities Alternative Fueled Vehicles Pilot Grant Program**

The DOE has released guidance for the Clean Cities Alternative Fueled Vehicles Pilot Grant Program. This programs provides \$300 million for grants to assist eligible recipients in acquiring motor vehicles with a higher fuel economy, including hybrid vehicles, electric vehicles, commercially available plug-in hybrid vehicles and the necessary infrastructure. Eligible recipients include states, local governments, metropolitan transportation authorities, air pollution control districts, and private or nonprofit enterprises. Transit agencies may team with states, local governments or metropolitan transit authorities to seek grants for the purchase of alternative fueled vehicles for their fleet. Thirty grants, based on geography, will be awarded on a competitive basis. Grant applications are due on May 29, with a second round scheduled for September 30. For more information, click [here](#).

### **Transportation Electrification Grant Program**

The DOE has also released guidance on the Transportation Electrification Program. This program provides \$400 million for grants to assist eligible recipients in acquiring plug-in electric drive buses or for projects that implement electric transportation technologies that would significantly reduce greenhouse gas emissions and the use of petroleum. Transit agencies may partner with states, local governments, air pollution control districts, metropolitan transportation authorities, or non-profits if they are interested in seeking funds for eligible vehicles. A minimum of one-third of total funding must go to local governments. Grant applications for this program are due on May 13. For more information, click [here](#).



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