



# 2017 Fall Federal Legislative Update for City of Charlotte, NC

*September 2017*

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Holland & Knight



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# AGENDA

- Washington, DC Update – what's currently happening.
- Recap of Administration & Legislative Action
  - FY 2018 Budget & Appropriations
  - Debt Ceiling
- Fall Congressional Outlook
  - Key Deadlines Driving the Agenda
  - Wish List
  - FAA Update
  - Transit Update
- Opportunities for Charlotte
  - Status of Federal Grants
  - FY 2018 Federal Agenda Update



"REGULAR ORDER?!" HONEY, WE CHANGED OUR MENU YEARS AGO!"

# The Grand FY2018 Budget Deal

- » President Trump and the Democratic Leadership agreed to a three month deal that would raise the debt ceiling, keep the federal government open and provide disaster aid for Hurricanes Harvey and Irma.
- » The Continuing Resolution and debt ceiling will expire on December 8<sup>th</sup>, 2017.
- » The President stated this allows time to move other important agenda items forward such as tax reform and infrastructure investment
- » In the meantime, Congress will continue consideration of FY18 Appropriations Bills with the goal of passing an omnibus in December to keep the federal government open for the remainder of the fiscal year.

# Key Deadlines Driving the Agenda

## » September 2017:

- Flood Insurance Expires
- FDA User Fees Expire
- CHIP Expires
- FAA Expires
- Medicare “Extenders” Expire
- AFG & SAFER Grant Programs Expire
- FY 2018 Appropriations
- Debt Ceiling Extension Legislation
- Health Care Repeal and Replace

## » October 2017:

- New Fiscal Year Begins
- Tax Reform
- Infrastructure Package anticipated

# FALL CONGRESSIONAL OUTLOOK:

## Wish List

### » Tax Reform

- Congressional tax writers issued joint statement on July 27, 2017 indicating move to drafting tax code overhaul.
- Infrastructure may be tied into tax overhaul.
- The Republicans, Democrats and the President are focused on some type of reform
- Private discussions are taking place on what the overall would look like
- Key concerns for local government:
  - Elimination of the deductibility of state and local property, income and sales taxes
  - Municipal Bonds
    - Estimated to raise over \$1 trillion in federal revenue
- H&K is working with the USCM's in partnership with the Big 7 local government associations to weigh in with Congress and the Trump Administration in an organized manner. Recently participated in a national call with stakeholders

# Wish List Continued

## » Infrastructure Package

- The President's budget request included \$200 billion in federal funds over a decade to incentivize state, local, and private-sector financing.
- The Administration and Congress have stated they are committed to a robust infrastructure package.
- **Outlined principles for the infrastructure initiative:**
  - Make Targeted Federal Investments
  - Encourage Self-Help
  - Align Infrastructure Investment with Entities Best Suited to Provide Sustained and Efficient Investment
  - Leverage the Private Sector
- **Outlined transportation proposals:**
  - Tolling on Interstates
  - Expand TIFIA
  - Expand Private Activity Bonds

# Wish List Continued

- H&K has been working with the Trump Administration on what a package should include such as transit and water infrastructure projects.
- We have held discussions with the City's senior leadership on what types of projects we should be looking to submit.
- Some of the merit criteria that has been discussed:
  - National and regional economic vitality
  - Potential for innovation
  - Safety
  - Environmental Sustainability
  - Project delivery approach
  - Leveraging of federal funding
  - Performance and accountability

## » Appropriations

### • Transportation

- Funding for air traffic control towers
- Air traffic noise issues
- UAS integration issues
- Homeland Security
- Increased CBP officer deployment
- Opposition to the elimination of exit-lane staffing by DHS
- Biometric exit program funding and development
- Reduction in Law Enforcement Officer (LEO) reimbursement program rates



# FAA Update Continued

## » **FAA Reauthorization**

- Funding for air traffic control towers
- Current authorization expires Sept. 30
- Extension is certain but how long?
- Airports requesting no less than six months to allow
- **FAA to make grants**
  - Regulatory reductions in grant programs
  - UAS integration issues
  - Removal of air traffic control functions from FAA
- **Infrastructure Package**
  - There is some thought that airport improvements may be included in any large package
- **Other**
  - We continue we continue to keep abreast of personnel changes at USDOT, FAA, DHS, TSA and CBP
  - Airport Perimeter security legislation
  - AMT relief for private activity bonds (unlikely but monitoring)

# Transit Update

## » Transit Funding

- **Capital Investment Grants Program**
  - House - \$1.753 billion
  - Senate - \$ 2.133 billion
- **LYNX Blue Line Extension - \$75 million in both bills**
- **Formula Programs funded at FAST Act authorized levels**
- **Bill and Report Language directing FTA to advance projects and request project funding in the FY19 Budget**

# OPPORTUNITIES FOR CHARLOTTE:

## Status of Federal Grants

### » Grants

- **TIGER:** DOT released TIGER NOFA Outline September 6, 2017; requests are due on October 16
- H&K Team participated in the US DOT Webinar on the TIGER Grant to gain information and insight on a winning application
- \$500 million allocated to projects with a significant impact on the Nation, a metropolitan area or region.
- Special consideration to projects emphasizing better access to reliable, safe, and affordable transportation especially in rural areas.
- **Bus and Bus Facilities Infrastructure Investment Program:** FTA issued notice for the program, with approximately \$226.5 million in funding for transit bus projects. Eligible projects include those that seek to “replace, rehabilitate, lease and purchase buses and related equipment as well as projects to purchase, rehabilitate, construct or lease bus-related facilities, such as buildings for bus storage and maintenance.” The program will fund a minimum of 10 percent (\$22.6 million) for rural bus needs. All applications must be submitted by **August 25<sup>th</sup>, 2017.**

# Status of Federal Grants

## » CBDG

- CBDG was funded at \$2.9 billion in the House bill, \$100 million below FY 2017 levels.
- We will monitor CBDG in the Senate.

## » HOME

- HOME was funded at \$850 million, \$100 million below FY 2017 levels.
- We will monitor HOME in the Senate.

- » **The Continuum of Care:** is designed to promote a community-wide commitment to the goal of ending homelessness; to provide funding for efforts by nonprofit providers, States, and local governments to quickly re-house homeless individuals, families, persons fleeing domestic violence, and youth while minimizing the trauma and dislocation caused by homelessness; to promote access to and effective utilization of mainstream programs by homeless; and to optimize self-sufficiency among those experiencing homelessness. **Closing Date: September 28, 2017**

# City of Charlotte FY18 Federal Legislative Agenda Update

- » **Charlotte Airport Control Tower** – Worked with Rep. Alma Adam's office to make sure there was appropriate funding in FY18 budget for tower funding.
- » **2030 Transit System Plan**
  - FY18 is the last year of the Blue Line Full Funding Grant Agreement
  - We worked with Rep. Alma Adams Office and Senator Burr to make the request for funding in this fiscal year Appropriations THUD Bill.
  - The H&K Team has been very engaged with the White House and US DOT in helping to formulate a robust infrastructure program. As well as participating in discussions with the City of Charlotte staff to convey what we are hearing and identifying strong projects.
- » **North End Smart District** – We continue to monitor funding opportunities for the smart district.
- » **Doppler Weather Radar** – Holland & Knight was very engaged in supporting Senator Burr and Representative Pittenger and other Members of the delegation in helping to pass legislation to secure a federal Doppler Weather Radar Facility that meets the public safety needs in the Charlotte region. We are happy to report that through this effort, President Trump signed the Weather Research and Forecasting Innovation Act of 2017. This important piece of legislation requires that the National Weather Service conduct a study and provide a solution to the weather radar gap in the region.
- » **Municipal Bonds** – We continue to monitor this issue, particularly as the Trump Administration and the Congress begins to tackle tax reform.

# City of Charlotte Team / Holland & Knight Team



## **Shawna Watley, Senior Policy Advisor**

- » Has more than 17 years of experience in government affairs and national politics, including substantive experience in transportation issues and the appropriations process
- » Prior to joining Holland & Knight, she was president and CEO of The Francis Group LLC, a minority-owned government relations consulting firm
- » Previously worked as the director of federal relations for the Dallas Area Rapid Transit Authority (DART) and directed DART's lobbying team, which secured millions of dollars in federal grants and other funding for the city's light rail system
- » Served in the U.S. Senate for Senator J. Robert Kerrey (D-NE) as a senior legislative assistant.



## **Rich Gold, Partner**

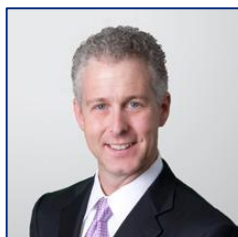
- » Leader of the firm's Public Policy & Regulation Group, focusing his practice at the intersection of complex policy and political issues involving Congress, the executive branch and the media
- » Approaches political and policy problems from the perspective of campaign-style advocacy – forming, developing and executing issue-advocacy campaigns that incorporate lobbying, regulatory lawyering, traditional and social media, and grassroots engagement in order to break through the noise in Washington and achieve client goals
- » Served in the U.S. Senate for Sen. Lloyd Bentsen (D-Texas) as his advisor on environmental affairs where he worked on issues related to environmental side agreements of the North American Free Trade Agreement (NAFTA)

# City of Charlotte Team Biographies



## **Lisa Tofil, Partner**

- » Practices in the area of federal relations and policy in healthcare, transportation and education issues. She has extensive experience working for hospital and health systems in previous senior government relations and legal positions
- » Spent several years handling health and income security issues in the U.S. Senate. She also provides strategic planning, advocacy and legal assistance to healthcare clients on a broad range of legislative and regulatory matters
- » Has a considerable background in obtaining federal appropriations for healthcare programs, capital projects and large cities.
- » Represents a number of hospital systems and hospital associations on appropriations and policy issues.



## **David Whitestone, Partner**

- » Leader of Holland & Knight's Government Section and oversees the provision of legal and legislative counsel services to firm clients
- » Practice includes the representation of corporations, nonprofits and municipal entities before the legislative and executive branches of the federal government
- » Since entering private practice, he has successfully counseled organizations interested in partnering with federal agencies in the Department of Transportation (Federal Aviation Administration, Federal Transit Administration and Federal Highway Administration), Department of Homeland Security (Transportation Security Administration and Customs and Border Protection), Department of Defense, Department of Commerce, the National Transportation Safety Board and others.

# City of Charlotte Team Biographies



## **Jeff Boothe, President, Boothe Transit Consulting LLC**

- » Combines nearly 40 years of legislative experience, leading major transit advocacy coalitions in Washington, D.C., and advocating for capital projects currently in revenue service that successfully completed the Federal Transit Administration (FTA) approval process
- » The only chair of the New Starts Working Group (“Working Group”) since it was formed in 1995 -- members include transit properties, cities and private sector companies that actively support expansion of federal funding for the construction of transit capital projects
- » Serves as executive director of the Community Streetcar Coalition (CSC)





**Questions?**