Metropolitan Transportation Commission and Association of Bay Area Governments

Joint MTC ABAG Legislation Committee

November 14, 2025 **Handout - Agenda Item 4a**

Washington D.C. Legislative Update

Subject:

October 2025 Report from Washington, D.C. advocate.

Issues:

None identified.

Recommendations:

Information

Attachments:

- Attachment A: Summit Strategies Team Report – October 2025

Andrew B. Fremier

SUMMIT STRATEGIES

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Summit Strategies Team Report – October 2025

From: Summit Strategies Team

To: Andrew B. Fremier, Executive Director

Date: November 10, 2025

Subject: October 2025 Federal Policy Monthly Report

- **Shutdown Endgame**
- **U.S. Department of Transportation (DOT) Proposed Changes to Disadvantaged Business Enterprise Program**
- **Supporting MTC Priorities in Congress**
- **National Transportation News Roundup**

Below is a status update on issues of interest to MTC and the actions that we have taken to date.

Shutdown Endgame

A group of eight Democratic Senators voted to advance legislation to reopen the government, finally breaking the 60-vote threshold needed to move the legislation forward. Led by Senator Angus King (I-ME), the legislation includes: a provision to reverse layoffs of federal workers made during the shutdown and provide backpay to all federal workers; a provision to prevent further reductions in force through January 30, 2026; funding all federal agencies through January 30, 2026; three full-year appropriations bills (Military Construction-Veterans Affairs, Agriculture-Food and Drug Administration (FDA), and Legislative Branch).

The deal came with a commitment from Senate Majority Leader John Thune (R-SD) to allow a vote in December on extending the expiring health insurance tax credits that were the major sticking point for Democrats during the shutdown. This compromise has not been welcomed by the majority of Senate Democrats, exposing a rift within the party. However, after President Trump publicly rejected extending Affordable Care Act subsidies, a deal on healthcare became incredibly unlikely.

While a deal has been struck, it will likely be several days before the measure passes. The bill will need to work its way through the Senate and then receive a vote in the House, where it is expected to pass.

DOT Proposes Changes to Disadvantaged Business Enterprise Program

On Friday, October 3, 2025 the DOT issued an interim final rule (IFR) regarding the Disadvantaged Business Enterprise (DBE) Program. The IFR states its intent that the DBE program works in a "nondiscriminatory" fashion by removing race- and sex-based presumptions of social and economic disadvantage. The IFR draws on the U.S. District Court for the Eastern District of Kentucky's ruling that the DBE program's statutory race- and sex-based presumptions likely do not comply with the Constitution's promise of equal protection under the law as well as several executive orders issued by the Trump Administration regarding diversity, equity, and inclusion. Comments were accepted until November 3, 2025, but the IFR took effect immediately.

Quickly after publication of the IFR, DOT sent a letter to Chicago and New York telling them that they had projects that were under administrative review to determine whether any unconstitutional practices were occurring. Until the review is complete, project reimbursements will not be processed. However, DOT will not move forward on reviews until the government is reopened. The maneuver is seen as another attempt by the Trump Administration to put pressure on Democrats to vote for a stopgap funding measure to reopen the government.

Supporting MTC Priorities in Congress

Your DC Team has been hard at work and has communicated with several congressional offices and agencies over the last month. This list includes:

The DC Team had an introductory meeting with Representative Mark DeSaulnier's new transportation Legislative Assistant. The new staffer is from the Bay Area, grew up in Napa, and worked as an assistant in Representative Mike Thompson's office prior to joining Representative DeSaulnier's team.

The DC Team met with the Offices of Representatives Mark DeSaulnier, John Garamendi, and Jared Huffman to discuss MTC federal priorities. .

The DC Team met with the Office of Senator Adam Schiff, Representative Jared Huffman, Representative John Garamendi, and Representative Mark DeSaulnier to discuss the importance of the FTA State of Good Repair funding that was included in advanced appropriations for the Bipartisan Infrastructure Law. The DC Team also discussed the Bay Area transit funding bill (SB 63) with these offices and made MTC available if offices had any questions.

National Transportation News Roundup (links to articles)

- NYC Transit System Faces $432 Million Budget Gap, DiNapoli Says (Bloomberg)
  https://www.bloomberg.com/news/articles/2025-10-15/nyc-transit-system-faces-432-million-budget-gap-dinapoli-says?embedded-checkout=true
- 'A new era.' Miami-Dade to have the first electric rapid bus system in the U.S. (Miami Herald)
  https://www.miamiherald.com/news/local/community/miami-dade/article312444028.html

- US warns it could force some Pennsylvania rail cars out of service (Reuters)
  https://www.reuters.com/world/us/us-warns-it-could-force-some-pennsylvania-rail-cars-out-service-2025-10-23/
- NYC's Transit Chief Is Not Letting Trump Derail Big Projects (Bloomberg)
  https://www.bloomberg.com/news/newsletters/2025-10-29/nyc-transit-chief-janno-lieber-tries-to-stay-on-track-citylab-daily