



CWCC

Clean Water Construction Coalition  
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ROBERT A. BRIANT, JR.  
Chairman

September 5, 2017

- AGC of America
- AGC of Texas
- Alabama Utility Contractors Association
- Arizona Utility Contractors Association
- Associated Pennsylvania Constructors
- Associated Utility Contractors Of Maryland \*
- Connecticut Construction Industries Association
- CIC of Westchester County & Hudson Valley \*
- Engineering Contractors Association
- General Contractors Association Of New York
- Georgia Utility Contractors Association
- Indiana Constructors Inc.
- Long Island Contractors Association
- Maryland Transportation Builders & Materials Association
- Michigan Infrastructure & Transportation Association
- Minnesota Utility Contractors Association\*
- National Rural Water Association
- New Mexico Utility Contractors Association
- Ohio Contractors Association
- Public Works Contractors Association of Maryland
- Tennessee Road Builders Association
- Underground Contractors Association of Illinois \*
- United Contractors \*
- UCA of Anne Arundel County
- Utility Contractors Association of New England \*
- Utility & Transportation Contractors Association of New Jersey \*
- Contractors Association Of West Virginia
- Wisconsin Underground Contractors Association

\* Steering Committee Member

## HOUSE SEES MOVEMENT ON CLEAN WATER AND DRINKING WATER SRFs

UTCA staff and CCLE representatives recently met with Ranking Member on House Energy and Commerce Committee. Congressman Frank Pallone, to thank him for his efforts to pass Congressman Harper's "Drinking Water System Improvement Act." During the meeting, the Congressman stated that his colleagues on House Transportation and Infrastructure Committee were working to introduce and move legislation to reauthorize the Clean Water Act with similar Clean Water SRF language as contained in the Drinking Water measure shortly after they return from recess.

As we reported to you, on July 27, by a bipartisan voice vote, the House Committee on Energy and Commerce favorably reported to the House H.R.3387, the "Drinking Water System Improvement Act," which, in part (per below) reauthorizes the Safe Drinking SRF. Key sections are noted as follows.

- Allows the use of those funds for siting, associated pre-construction activities, and replacing or rehabilitating aging treatment, storage, or distribution facilities of public water systems
- Extends the application of the American iron and steel requirements in section 1452(a)(4) to DWSRF funds for the life of the funding authorization in the bill
- Requires public water systems serving more than 10,000 persons to certify to their State that they have considered the costs and effectiveness of the relevant processes, materials, techniques, and technologies used in the project or activity supported with DWSRF funds
- Increases the amount of loan subsidies available for disadvantaged communities to 35 percent and extends the repayment schedule for DWSRF loans for disadvantaged communities from 30 years to 40 years
- Prohibits the use of those funds for Clean Water Act compliance
- Amends section 1452(k)(2) of the SDWA to allow States to use a portion of their DWSRF allocation to delineate, assess, and update their source water protection plans

Lastly, the bill amends section 1452(m) of the SDWA to reauthorize \$8 billion in capitalization grants for FY 2018 through FY 2022. Specifically, it authorizes:

- \$1.2 billion in FY 2018
- \$1.4 billion in FY 2019
- \$1.6 billion in FY 2020
- \$1.8 billion in FY 2021
- \$2.0 billion in FY 2022

Coalition representatives will continue to advocate for H.R.3387 as it moves to the floor of the House as well as urge the House Transportation and Infrastructure Committee to reauthorize the Clean Water Act.

## **SENATE INFRASTRUCTURE INITIATIVES**

Last month, Senate Environment and Public Works Chairman Barrasso (R-Wyo.) and the Committee's Ranking Democrat, Senator Carper (D-Del), put a call out to panel members (and likely beyond) for "infrastructure priorities, policy proposals and recommendations" for a committee-produced title of a "comprehensive infrastructure bill". At that time, Coalition representatives submitted to all staff and 40 Senators (those represented by State Coalition members) the following (condensed version):

*On behalf of the Clean Water Construction Coalition, with Association membership in your State, I am writing to respectfully request that the following be included in the Senator's submission per the article below:*

*\$4.2B for the Clean Water SRF (triple funding per the President's campaign proposal) ...note...this amount is for FY19, if the bill is a multiyear bill, then we recommend increasing the \$4.2B by at least \$100M for each fiscal year thereafter*

*\$2.6B for the Safe Drinking Water SRF (triple funding per the President's campaign proposal) ...note... this amount is for FY19, if the bill is a multiyear bill, then we recommend increasing the \$2.6B by at least \$100M for each fiscal year thereafter*

*The Committee is reviewing the submissions and is expected to release its infrastructure "plan" in September. Other Senate committees—including, but not limited to, Banking, Commerce and Finance—have not taken any action to date on the infrastructure issue.*

At the same time, the "gang of eight" Democratic Senators' continue to build the outline of a \$1T 10-year infrastructure plan, as reported last month. Senator Schumer and Congresswoman Pelosi held a joint conference on the issue, with a target of \$1T over 10 years.

## **ADMINISTRATION'S INFRASTRUCTURE INITIATIVE**

The Trump Administration has been somewhat quiet regarding its infrastructure initiative, as other issues (health care, tax reform, Russia) continue to take priority. The President made a speech last month again referencing a \$1T infrastructure package with \$200B in direct Federal spending including \$25B for rural infrastructure, \$15B for transformative projects (not defined), and \$100B for local infrastructure, leaving \$60B undefined. No more specifics have been seen, but a legislative proposal is expected before the end of September.

On August 17, President Trump ended plans for an Advisory Council on Infrastructure, a little over a month after it was created by an Executive Order per the following. The move came a day after Trump disbanded two other councils – the Manufacturing Council and the Strategy & Policy Forum.

## **FEDERAL FY2018 HOUSE AND SENATE TRANSPORTATION APPROPRIATIONS BILL COMPARISON**

Both the House and Senate Appropriations Committees have now approved federal FY'18 funding bills for DOT. However, with the start of the new fiscal year on October 1st, it is likely that a short-term Continuing Resolution (CR) will be required to keep the programs funded.

The Senate bill provides more money than the House bill for a number of programs including FTA's Capital Improvement Grant (CIG) program which funds transit New Start, Small Start, and Core Capacity

projects. The Senate bill provides \$2.13B versus the House level of \$1.75B, although less than the current funding of \$2.4B. The Senate funding level, should it prevail in the final bill, is sufficient to fund FY18 grants to all 13 CIG projects (New Starts and Core Capacity) with existing FFGAs and well as approximately \$600M in funding for New Start and Core Capacity projects which expect to sign FFGAs during FY18. These projects potentially include the Maryland Purple Line, Santa Ana, CA Streetcar, Seattle Lynwood Link Extension, and two projects in Minneapolis. The Administration had not requested any funding for projects without an existing FFGA. \$150M is provided for existing Small Start projects and \$168.4M for new Small Starts. The Senate included language similar to that in the House report which directs the DOT Secretary to continue to advance eligible projects through the CIG rating and approval process.

The Senate bill funds the TIGER program at \$550M compared with the House which zeroed out the program as did the Administration in its FY18 budget request. Current funding is \$500M.

The Senate bill appropriates the full FY18 FAST Act authorized funding levels for highway and transit formula programs - as does the House bill.

Also, the Senate bill funds Amtrak at the full amount authorized in the FAST Act - approximately \$1.6B which includes funding for both the Northeast Corridor and the National Network (long distance lines). The Administration had proposed to eliminate funding for the long-distance lines.

Lastly, the Senate includes language increasing the FAA's Passenger Facility Charge (PFC) cap from the current \$4.50 up to \$8.50 for originating airports. However, neither the pending House nor the Senate FAA authorization bills include such an increase. The Senate bill also increases funding for the construction-related Airport Improvement Program (AIP) from the current \$3.35B up to \$3.6B.

<u>Program</u>	<u>Current Funding</u>	<u>Administration FY'18 Request</u>	<u>Pending House FY'18 Bill</u>	<u>Pending Senate FY'18 Bill</u>
Highway Programs	\$43.26B	\$44.23B	\$44.23B	\$44.23B
TIGER	\$500M	\$0	\$0	\$550M
FTA CIG Grants	\$2.41B	\$1.23B	\$1.75B	\$2.13B
FTA Formula Grants	\$9.73B	\$9.73B	\$9.73B	\$9.73B
FAA Airport Improvement Program (AIP)	\$3.35B	\$3.35B	\$3.35B	\$3.60B
Amtrak	\$1.49B	\$760M	\$1.428B	\$1.60B

## **HOUSE CLEAN WATER CAUCUS**

The Caucus has decided to host a fall event on recycled water: "Recycled Water 101"-a primer-what is recycled water; where does it come from; what is it used for; how much does it cost to produce; and, what are its benefits. Previously, the Caucus hosted a congressional field trip to the DC Water Blue Plains Wastewater Treatment Plant.

## **KEY ADVOCATES SEPTEMBER REPORT**

Included with this notice is Key Advocates September 2017 report.



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## *September 2017 Insights*

Note: Congress is in recess until Sept. 5.

### **Administration's Infrastructure Initiative**

Publicly, the Administration has been somewhat quiet regarding the infrastructure issue, as other issues (health care, tax reform, Russia) continue to take priority. The President made a speech last month again referencing a \$1T infrastructure package with \$200B in direct Federal spending including \$25B for rural infrastructure, \$15B for transformative projects (not defined), and \$100B for local infrastructure, leaving \$60B undefined. No more specifics have been seen, but a legislative proposal is expected before the end of September.

On July 27<sup>th</sup> Senators Jim Inhofe (R-OK), Deb Fisher (R-NE), and Roger Wicker (R-MS) met with DJ Gribbin (Special Assistant to the President for Infrastructure Policy) and Reed Cordish (Asst. to President for Intragovernmental and Technology Initiatives). They reportedly had a general discussion about infrastructure. Inhofe also reached out to other Senators asking for their thoughts and priorities for infrastructure.

On August 17, President Trump ended plans for an Advisory Council on Infrastructure, a little over a month after it was created by an Executive Order per the following. The move came a day after Trump disbanded two other councils – the Manufacturing Council and the Strategy & Policy Forum – after business leaders, CEOs, and union leaders began fleeing all of the groups in response to the President blaming both sides for the violence in Charlottesville, Virginia. The councils were largely undermined by the departures but Trump said that he was disbanding the panels rather than pressuring business leaders to stay. The infrastructure council was still being formed at the time.

To review, on July 19, the President signed an Executive Order to create a President's Advisory Council on Infrastructure. It is under the auspices of the Department of Commerce with up to 15 members from the public with experience and expertise in various subjects including real estate, finance, construction, labor, environmental policy, transportation, etc. The mission is “to study the scope and effectiveness of, and make findings and recommendations to the President regarding, Federal Government funding, support, and delivery of infrastructure projects in several sectors, including surface transportation, aviation, ports and waterways, water resources, renewable energy generation, electricity transmission, broadband, pipelines, and other such sectors as determined by the Council.” It is to present findings and recommendations to the President, and is set to terminate December 31, 2018. It is a very difficult process to get on the Council, which is currently led by two real estate developers from New York (Richard LaFrak and Steven Roth). So far, two members have been added (Joshua Harris with Apollo

Global Management and William Ford with General Atlantic). A lawsuit has been filed by Food and Water Watch, claiming that the Council has been operating for months in secrecy, and that the co-chairs have a conflict of interest (therefore violating the Federal Advisory Committee Act). LaFrak and Roth have personal and financial ties to the President.

### **Senate Infrastructure Initiatives**

On July 17, Senate Environment and Public Works Chairman Barrasso (R-Wyo.) and the Committee's Ranking Democrat, Sen. Carper (D-Del), put a call out to panel members (and likely beyond) for "infrastructure priorities, policy proposals and recommendations" for a committee-produced title of a "comprehensive infrastructure bill – responses due July 21. On July 19, the Coalition requested of the Senators whose state membership is reflected in the Coalition (40 Senators) that the following be included in their submission to the Committee:

- \$4.2B for the Clean Water SRF (triple funding per the President's campaign proposal) with at least \$100M increments for each fiscal year thereafter; and,
- \$2.6B for the Safe Drinking Water SRF (triple funding per the President's campaign proposal) with at least \$100M increments for each fiscal year thereafter.
- 

This month the Committee is reviewing the submissions and is expected to release its infrastructure "plan" in September. Other Senate committees –including, but not limited to, Banking, Commerce and Finance – have not taken any action to date on the infrastructure issue.

At the same time, work continues regarding the "gang of eight" Democratic Senators' outline of a \$1T 10-year infrastructure plan (\$75 billion for schools, \$210 billion for roads and bridges, \$110 billion for aging water and sewer systems, \$180 billion for expanded rail and bus lines, \$70 billion for deeper ports and upgraded airports, \$100 billion for an updated electrical grid, \$10 billion for VA hospitals, \$20 billion for broadband installations; \$200 billion for unspecified "vital infrastructure projects" and \$10 billion for an infrastructure bank to "unlock" private capital by providing loan guarantees or low-cost loans). Senate and House also seem to be working on this as Senator Schumer and Nancy Pelosi held a joint conference on the issue, with a target of \$1T over 10 years.

### **House Infrastructure Initiatives**

To review, on July 27, by a bipartisan voice vote, the House Committee on Energy and Commerce favorably reported to the House H.R.3387, the "Drinking Water System Improvement Act," which, in part (per below) reauthorizes the Safe Drinking SRF. Key sections are noted as follows.

The bill adds or amends four conditions on the use of DWSRF funding. First, it allows the use of those funds for siting, associated preconstruction activities, and replacing or rehabilitating aging treatment, storage, or distribution facilities of public water systems. Next, it extends the application of the American iron and steel requirements in section 1452(a)(4) to DWSRF funds for the life of the funding authorization in the bill. Third, it requires public water systems serving more than 10,000 persons to certify to their State that they have considered the costs and effectiveness of the relevant processes, materials, techniques, and technologies used in the project or activity supported with DWSRF funds. Finally, it increases the amount of loan subsidies available for disadvantaged communities to 35 percent and extends the repayment schedule for DWSRF loans for disadvantaged communities from 30 years to 40 years.

The bill amends section 1452(k)(2) of the SDWA to allow States to use a portion of their DWSRF allocation to delineate, assess, and update their source water protection plans. The section also prohibits the use of those funds for Clean Water Act compliance.

The bill amends section 1452(m) of the SDWA to reauthorize \$8 billion in capitalization grants for FY 2018 through FY 2022. Specifically, it authorizes \$1.2 billion in FY 2018, \$1.4 billion in FY 2019, \$1.6 billion in FY 2020, \$1.8 billion in FY 2021, and \$2 billion in FY 2022

To review, on July 17, Congressman McNerney introduced H.R. 3275, his omnibus water bill, that includes the following:

- Amends new \$50M USBR grant program by providing reimbursements for prior costs. T
- Reauthorizes CWSRF at \$2B FY18, \$2.4B FY19. Instead of \$100M increments over 5 years, they rolled all the money into 2 years.
- At least 20% of CWSRF funds will go to green projects, including RW projects.
- Exempts from the private activity bond cap, bonds for water infrastructure projects (including RW) in areas of drought or disaster.
- Establishes within DOE various programs focusing on the nexus between energy and water. Energy needed to reuse water is included in the definition of the nexus. Provides national water-energy nexus database, technologies and a small smart energy-water efficiency pilot program.
- Requires USGS to conduct annual consumptive water use survey.
- Authorizes funding for EPA to conduct research for potable reuse regulations.
- Establishes within EPA a water system mitigation and adaptation grant program, \$10M/year for FY 18-FY22, 50% Federal share. Grants to increase water systems' resilience to climate change.
- Reauthorizes Safe Drinking Water Act at \$1.2B for FY18 and FY19.
- Reauthorizes the Alternative Water Source Program at \$375M.
- Includes old Boxer language on Water Sense.
- Includes conservation language.
- Includes storm water planning.
- Includes Flint Michigan language.

To review, on May 18, Congressman Peter DeFazio (D-OR-4), Ranking Member of the House Committee on Transportation and Infrastructure DeFazio, Vice Chair of the House Committee on Transportation and Infrastructure John J. Duncan, Jr. (R-TN-2), and Ranking Member of the House Subcommittee on Water Resources and the Environment Grace Napolitano (D-CA) introduced H.R. 2510, the "Water Quality Protection and Job Creation Act of 2017." The bill includes \$20B for CWSRF, \$375M for Alternative Water Source Program, and numerous other funding programs. No further developments at this time.

To review, on March 23, Congressman Earl Blumenauer (D-OR-3) introduced H.R. 1647, the Water Infrastructure Trust Fund Act of 2017, with the Coalition cited as one of the supporting entities. The bill establishes a Water Infrastructure Investment Trust Fund and appropriates to it amounts equivalent to the fees received in the Treasury before January 1, 2022, under this Act (approximately \$7B). No further developments at this time.

To review, Congressmen John Delaney (D-MD-6) and Jeff Duncan (R-CA-10) introduced loan

and loan guarantee water bills. Noted because they have bipartisan support. Included under the Bill Tracking section. No further developments at this time.

### **FY18 Interior Appropriations**

To review, on July 18, the House Appropriations Committee approved the FY18 Interior and Environment Appropriations bill on a vote of 30-21. The legislation includes funding for the Department of the Interior, the Environmental Protection Agency, the Forest Service, the Indian Health Service, and various independent and related agencies. In total, the bill provides \$31.4 billion, \$824 million below the FY17 enacted level and \$4.3 billion above the President's budget request. For the Clean Water SRF the bill provides \$1,143,887,000 (compared to \$1,393,887,000 for FY17) and for the Safe Drinking Water SRF, \$863,233,000 (the same amount appropriated for FY17). Also included is \$25M for WIFIA. No action to date in the Senate.

### **FY18 House and Senate Transportation Appropriations Bills**

Both the House and Senate Appropriations Committees have now approved FY'18 funding bills for DOT. However, with the start of the new fiscal year on October 1, it is likely that a short-term Continuing Resolution (CR) will be required to keep the programs funded.

The Senate bill provides more money than the House bill for a number of programs including FTA's Capital Improvement Grant (CIG) program which funds transit New Start, Small Start, and Core Capacity projects. The Senate bill provides \$2.13B versus the House level of \$1.75B, although less than the current funding of \$2.4B. The Senate funding level, should it prevail in the final bill, is sufficient to fund FY18 grants to all 13 CIG projects (New Starts and Core Capacity) with existing FFGAs and well as approximately \$600M in funding for New Start and Core Capacity projects which expect to sign FFGAs during FY18. These projects potentially include the Maryland Purple Line, Santa Ana, CA Streetcar, Seattle Lynwood Link Extension, and two projects in Minneapolis. The Administration had not requested any funding for projects without an existing FFGA. \$150M is provided for existing Small Start projects and \$168.4M for new Small Starts. The Senate included language similar to that in the House report which directs the DOT Secretary to continue to advance eligible projects through the CIG rating and approval process.

The Senate bill funds the TIGER program at \$550M compared with the House which zeroed out the program as did the Administration in its FY18 budget request. Current funding is \$500M.

The Senate bill appropriates the full FY18 FAST Act authorized funding levels for highway and transit formula programs - as does the House bill.

Also, the Senate bill funds Amtrak at the full amount authorized in the FAST Act - approximately \$1.6B which includes funding for both the Northeast Corridor and the National Network (long distance lines). The Administration had proposed to eliminate funding for the long distance lines.

Lastly, the Senate includes language increasing the FAA's Passenger Facility Charge (PFC) cap from the current \$4.50 up to \$8.50 for originating airports. However, neither the pending House nor the Senate FAA authorization bills include such an increase. The Senate bill also increases funding for the construction-related Airport Improvement Program (AIP) from the current \$3.35B up to \$3.6B.

<u>Program</u>	<u>Current Funding</u>	<u>Administration FY'18 Request</u>	<u>Pending House FY'18 Bill</u>	<u>Pending Senate FY'18 Bill</u>
Highway Programs	\$43.26B	\$44.23B	\$44.23B	\$44.23B
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Amtrak	\$1.49B	\$760M	\$1.428B	\$1.60B

## Earmarks

No change since the last report. The House Rules Committee is still targeting fall for consideration of the earmark issue. Key Advocates has stressed to Members that they don't have to completely repeal the earmark ban at this time (pending further consideration), but rather they could simply waive the ban with respect to a mega infrastructure bill.

## House Clean Water Caucus

The Caucus has decided to host a fall event on recycled water: "Recycled Water 101" - a primer - what is recycled water; where does it come from; what is it used for; how much does it cost to produce; and, what are its benefits. Previously, the Caucus hosted a congressional field trip to the DC Water Blue Plains Wastewater Treatment Plant.

## Bill Tracking

**Note the new format per the change in format by the Congress for the listing of bills. More information on each bill will be provided when it becomes available on the official site.**

H.R.434 — 115th Congress (2017-2018)

### New WATER Act

**Sponsor:** Rep. Denham, Jeff [R-CA-10] (Introduced 01/11/2017)

**Cosponsors:** (5)

**Committees:** House - Natural Resources

**Latest Action:** 01/11/2017 Referred to the House Committee on Natural Resources.

This bill authorizes the Department of the Interior, for 15 years after this bill's enactment, to provide financial assistance, such as secured loans or loan guarantees, to entities that contract under federal reclamation law to carry out water projects within the 17 western states served by the Bureau of Reclamation, other states where the Bureau is authorized to provide project assistance, Alaska, and Hawaii. Projects eligible for assistance include: non-federal water infrastructure projects that would contribute to a safe, adequate water supply for domestic, agricultural, environmental, or municipal and industrial use; projects for enhanced energy efficiency in the operation of a water system; projects for accelerated repair and replacement of aging water distribution facilities; brackish or sea water desalination projects; and the acquisition of real property or an interest therein for water storage, reclaimed or recycled water, or wastewater that is integral to such a project. To be eligible for assistance, a project must be deemed creditworthy. Eligible project costs must be reasonably anticipated to be at least \$20 million. Interior shall establish criteria for project selection and may enter into a master credit agreement for projects secured by a common security pledge on terms acceptable to it. Interior may enter into agreements with obligors to make secured loans to finance or refinance eligible

project costs or to refinance long-term project obligations or federal credit instruments to provide additional funding capacity for the completion, enhancement, or expansion of a project. The total amount of federal assistance for a project shall not exceed 80% of its total cost. Interior shall establish: (1) a repayment schedule for each secured loan based on the useful life of the project, and (2) a uniform system to service the federal credit instruments made available under this bill. Interior shall report biennially on the financial performance of the projects that receive assistance under this bill.

Status Update: no change since the last report.

H.R.23 — 115th Congress (2017-2018)

**Gaining Responsibility on Water Act of 2017**

**Sponsor:** Rep. Valadao, David G. [R-CA-21] (Introduced 01/03/2017)

**Cosponsors:** (13, now 14)

**Committees:** House - Natural Resources, Agriculture

**Latest Action:** 01/03/2017 Referred to House Agriculture

Status Update: no change since the last report.

H.R.465 — 115th Congress (2017-2018)

**Water Quality Improvement Act of 2017**

**Sponsor:** Rep. Gibbs, Bob [R-OH-7] (Introduced 01/12/2017)

**Cosponsors:** (1, now 6)

**Committees:** House - Transportation and Infrastructure

**Latest Action:** 01/12/2017 Referred to the House Committee on Transportation and Infrastructure

This bill amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) by requiring the Environmental Protection Agency (EPA) to establish an integrated planning and permitting process for municipal wastewater and storm water management that: enables municipalities to identify the most cost-effective and protective approaches to comply with the Act's requirements; helps them prioritize their investments in addressing the requirements; and is comprehensive and flexible. The EPA must provide technical assistance to the municipalities or states for developing an integrated plan upon request. The EPA must: (1) update its financial capability assessment guidance entitled, "Combined Sewer Overflows-- Guidance for Financial Capability Assessment and Schedule Development," and dated February 1997; and (2) ensure that the guidance may be used for assessing the financial capability of municipalities to implement effluent limitations and other pollution control measures. During the next 5 years, the EPA must work with at least 15 municipalities to develop and implement integrated plans and permits to meet the requirements of the national pollutant discharge elimination system.

Status Update: no change since the last report.

H.R.100 — 115th Congress (2017-2018)

**Support Local Transportation Act**

**Sponsor:** Rep. Brownley, Julia [D-CA-26] (Introduced 01/03/2017) **Cosponsors:** (0, now 2)

**Committees:** House - Transportation and Infrastructure

**Latest Action:** 01/03/2017 Referred to the House Committee on Transportation and Infrastructure.

Status Update: no change since the last report.

H.R.547 — 115th Congress (2017-2018)

**National Infrastructure Development Bank Act of 2017**

**Sponsor:** Rep. DeLauro, Rosa L. [D-CT-3] (Introduced 01/13/2017) **Cosponsors:** (76, now 79)

**Committees:** House - Energy and Commerce, Transportation and Infrastructure, Financial Services, Ways and Means

**Latest Action:** 01/17/2017 Referred to the Subcommittee on Water Resources and Environment.

This bill establishes the National Infrastructure Development Bank as a wholly owned government corporation. The bank's board of directors shall be responsible for monitoring and overseeing energy, environmental, telecommunications, and transportation infrastructure projects. The board is authorized to: (1) make loans and loan guarantees to assist in the financing an infrastructure project, (2) issue public benefit bonds and provide financing to infrastructure projects, and (3) pay an interest subsidy to the issuer of American Infrastructure Bonds. The bank shall establish a risk management committee, which shall: (1) create financial, credit, and operational risk management guidelines; (2) set guidelines to ensure diversification of lending activities by geographic region and infrastructure project type; (3) create conforming standards for financial assistance; (4) monitor financial, credit, and operational exposure; (5) provide financial recommendations to the board; and (6) ensure that the aggregate amount of interest subsidies provided for such bonds in a given calendar year does not exceed 28% of interest payable under all such bonds. The board shall approve criteria established by the bank's executive committee for determining project eligibility for financial assistance. The bill sets forth criteria to be considered by the board for each type of infrastructure project. The executive committee shall conduct an analysis that considers the economic, environmental, and social benefits and costs of each project under consideration, prioritizing projects that contribute to economic growth, lead to job creation, and are of regional or national significance. Financial assistance for an infrastructure project: (1) shall be repayable from dedicated revenue sources that also secure the infrastructure project obligations, and (2) shall not exceed 50% of reasonably anticipated project costs. Bank bonds shall be exempt from state or local government taxation. Assisted projects must comply with wage rate, domestic content, and buy American statutes. The board shall establish an American Infrastructure Bond program. The bill establishes the National Infrastructure Development Bank Trust Fund into which an amount equal to the tax receipts attributable to interest payable under such bonds is to be appropriated.

Status Update: no change since the last report.

H.R.481 — 115th Congress (2017-2018)

**REBUILD Act**

**Sponsor:** Rep. Calvert, Ken [R-CA-42] (Introduced 01/12/2017) **Cosponsors:** (0)

**Committees:** House - Natural Resources

**Latest Action:** 01/12/2017 Referred to the House Committee on Natural Resources

This bill amends the National Environmental Policy Act of 1969 (NEPA) to authorize: (1) the assignment to states of federal environmental review responsibilities under NEPA and other relevant federal environmental laws for covered federal projects, and (2) states to assume all or part of those responsibilities. Each responsible federal official who is authorized to assign such responsibility must promulgate regulations that establish requirements relating to information required to be contained in state applications to assume those responsibilities. An official may approve an application only if: (1) public notice requirements have been met, (2) the state has the capability to assume the responsibilities, and (3) the head of the state agency having primary jurisdiction over covered projects enters into a written agreement with an official to assume the responsibilities and to maintain the financial resources necessary to carry them out. The officials

must audit state compliance with federal laws for which responsibilities are assumed. The officials may terminate the responsibilities assigned to states after providing notice to states of any noncompliance and an opportunity to take corrective action.

Status Update: no change since the last report.

H.R.966 — 115th Congress (2017-2018)

**TIGER CUBS Act**

**Sponsor:** Rep. Larsen, Rick [D-WA-2] (Introduced 02/07/2017) **Cosponsors:** (5, now 8)

**Committees:** House - Appropriations, Budget

**Latest Action:** 02/07/2017 Referred to House Budget Committee

This bill provides \$500 million in supplemental FY2017 appropriations to the Department of Transportation for national infrastructure investments under a competitive grant program commonly known as the Transportation Investment Generating Economic Recovery (TIGER) program. At least \$100 million of the funds must be used for projects located in cities with populations between 10,000 and 50,000.

The funding provided by this bill is designated as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985. The emergency funding is exempt from discretionary spending limits and is only available if the President subsequently designates the amounts as an emergency and submits the designation to Congress.

Status Update: no change since the last report.

S.846 — 115th Congress (2017-2018)

**SAFE Bridges Act of 2017**

**Sponsor:** Sen. Shaheen, Jeanne [D-NH] (Introduced 04/05/2017) **Cosponsors:** (4)

**Committees:** Senate - Environment and Public Works

**Latest Action:** 04/05/2017 Read twice and referred to the Committee on Environment and Public Work

Status Update: no change since the last report.

H.R.1670 — 115th Congress (2017-2018)

**Infrastructure 2.0 Act**

**Sponsor:** Rep. Delaney, John K. [D-MD-6] (Introduced 03/22/2017) **Cosponsors:** (20)

**Committees:** House - Ways and Means, Transportation and Infrastructure, Rules

**Latest Action:** 03/23/2017 Referred to the Subcommittee on Water Resources and Environment

Status Update: no change since the last report.

H.R.1669 — 115th Congress (2017-2018)

**Partnership to Build America Act of 2017**

**Sponsor:** Rep. Delaney, John K. [D-MD-6] (Introduced 03/22/2017) **Cosponsors:** (23, now 24))

**Committees:** House - Transportation and Infrastructure, Ways and Means

**Latest Action:** 03/23/2017 Referred to the Subcommittee on Water Resources and Environment

Status Update: no change since the last report.