



CWCC

Clean Water Construction Coalition
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Chairman

February 9, 2016

- 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 Construction Association
- 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
- Southern California Contractors Association
- 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

COALITION REPRESENTATIVES CONTINUE TO FOCUS ON THE REAUTHORIZATION OF BOTH THE WATER RESOURCES DEVELOPMENT AND THE CLEAN WATER ACTS

As we have reported to Coalition members last month, the House Transportation and Infrastructure Committee has been in active discussions concerning the reauthorization of the Water Resources Development Act of 2014. Included in these discussions is the reauthorization of the Clean Water SRF program, which at this time, appears to have bipartisan support.

In January, Coalition representatives met with Congresswoman Grace Napolitano (D-CA), Ranking Democrat on the Subcommittee on Water Resources and Environment of the House Committee on Transportation and Infrastructure (T&I), Congressman John Garamendi (D-CA), Congressman Jared Huffman (D-CA) and Congressman Jeff Denham (R-CA), all also members of the Subcommittee, to advocate very aggressively for reauthorization of the Clean Water SRF at the highest possible funding levels in the WRRDA 2014 reauthorization bill. Later in January Coalition representatives also met with both Republican and Democratic staff of the House T&I Committee. According to Committee staff, the WRRDA 2014 reauthorization effort is a priority for this year and final enactment of a bill is very likely this year given, in part, to the fact that it is Senator Boxer's last year in Congress.

In the Senate, Coalition members met with Jason Albritton, Democratic staffer on the Senate Environment and Public Works Committee, on the issue. Albritton confirmed to the Coalition that it is the Committee's intent to move a WRRDA bill this year. Again, in advocating for inclusion of the Clean Water SRF, the Coalition reminded him of Boxer's past efforts and support for the program and informed him of the efforts to include the reauthorization of the Clean Water SRF as part of the House measure. The Coalition stated that the House T & I Committee Democrats drafted a bill that would reauthorize the Clean Water SRF at \$13.8 B in CSWRF over a 5-year period authorize a new sewer overflow control grant program at \$500M for each of FY16-20, and add an alternate water source pilot project at \$50M for each of FY16-20. The Coalition noted that the Republican Committee members support the concept of reauthorization of the CWSRF program as part of the WRRDA bill but at the funding level of the average of the last five years of appropriations to the program. Coalition members also stated that the House Republican Committee members are willing to move legislation at higher funding levels but only if budget offsets that equal the increased funding are identified.

OBAMA ADMINISTRATION'S FISCAL YEAR 2017 BUDGET REQUEST PROPOSES AN INCREASE TO THE SAFE DRINKING WATER SRF PROGRAM AND A CUT TO THE CLEAN WATER SRF PROGRAM AND CORPS OF ENGINEERS PROGRAM

President Obama's Fiscal Federal Year 2017 Budget request will propose an increase for the Safe Drinking Water SRF by \$158 million to \$1.02 billion from FY 2016 amount of \$863 million while cutting the Clean Water SRF by \$414 million from the FY 2016 enacted level of \$1.394 billion. Last year the Administration had a similar proposal, however, through the appropriation process and the FY 2016 Consolidated Appropriations Act, the proposed Clean Water SRF funding cut was avoided.

The President's FY 2017 Budget also proposes cutting the Corps of Engineers program by 22 percent to \$4.6 billion as compared to the FY 2016 appropriated amount of \$5.6 billion. The WIFIA program is funded at \$20 million for direct loans.

As with last year, the Coalition will focus on the appropriations to advocate for higher funding levels for the Clean Water SRF and Corps of Engineers program.

FEDERAL ADVOCATES REPORT FOR FEBRUARY 2016

Attached with this notice is Federal Advocates February 2016 report.



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February 2016 Insights

2016 Federal Advocacy Items

As of this writing, the 2016 Federal advocacy priority items are enactment of a Clean Water/Safe Drinking Water SRF reauthorization bill; enactment of WRRDA 2014 reauthorization; inclusion of the highest possible funding levels in both the President's FY17 Budget and the FY17 appropriations process for both state revolving funds.

T&I Clean Water Authorization Draft

On January 13, we had individual meetings with Congresswoman Grace Napolitano (D-CA-32), Ranking Democrat on the Subcommittee on Water Resources and Environment of the House Committee on Transportation and Infrastructure (T&I), Congressman John Garamendi (D-CA-3), Congressman Jared Huffman (D-CA-2) and Congressman Jeff Denham (R-CA-10), all also members of the Subcommittee, to advocate very aggressively for reauthorization of the Clean Water SRF at the highest possible funding levels in WRRDA 2014 reauthorization. On January 19, we also met with both Republican and Democratic staff of T&I. According to Committee staff, the WRRDA 2014 reauthorization effort is a priority for this year and is still on a fast track although reauthorization of the aviation bill that is to expire on March 31 may take precedence as to timing. According to staff, final enactment of a bill is very likely this year given, in part, to the fact that it is Senator Boxer's last year in Congress. Lastly, on the 19th, we met with Jason Albritton, Democratic staffer on the Senate Environment and Public Works Committee, on the same issue. Albritton confirmed his Committee's intent to do a bill this year. Again, in advocating for inclusion of the Clean Water SRF, we reminded him of Boxer's past efforts and support for the program. To review, the Democrats on the House Transportation and Infrastructure Committee have drafted a bill that would reauthorize the Clean Water SRF at \$13.8 B in CSWRF over a 5-year period. It would also authorize the sewer overflow control grant program at \$500M for each of FY16-20, and an alternate water source pilot project at \$50M for each of FY16-20. At the request of the Committee, the Coalition reviewed the draft and submitted comments (both the comments and draft bill have been provided to Coalition members).

President's FY17 Budget

Scheduled for transmittal to Congress on February 9. On January 8, we met with staff of the Natural Resources Division of the Office of Management and Budget to discuss the Clean Water and Safe Drinking Water SRF's funding in the upcoming President's FY17 Budget. We pushed hard on two points: substance - that both SRF's play a pivotal role in addressing the nation's

various water needs and thereby should be funded at the highest possible levels; and, political – that this is the President’s last budget and so he ought “to do what is right” for programs like the SRF’s because he has nothing to lose.

On May 1, 2105 (revised July 9) OMB sent a memorandum for the heads of departments and agencies on the FY17 Budget Guidance. That memo provides, in part, that the FY 2017 Budget should continue to build on the investments and reforms proposed in the FY 2016 Budget. In addition, agency budget requests should reflect management strategies that will help us deliver a Government that is more effective, efficient, and supportive of economic growth. To provide the President with the options needed to sustain or augment critical investments and support effective programs, your FY 2017 budget submission to OMB should reflect a 5 percent reduction below the net discretionary total provided for your agency for FY 20 17 in the FY 20 16 Budget (unless otherwise directed by OMB). This reduction applies equally to defense (budget function 050) and non-defense programs; agencies that are split between the two may not reduce defense by more than 5 percent to offset non-defense or vice versa. In working toward this funding target, all agencies should include sufficient funding for ongoing Presidential priorities and continue efforts to increase effectiveness and reduce fragmentation, overlap, and duplication. Your submission should include a separate section that identifies recommendations to this effect, both within your agency and across programs administered jointly with other agencies. As appropriate, your list of recommendations should include proposals that address the Government Accountability Office's recommendations in this area. In addition, agencies are asked to identify additional investments in programs that support their missions, especially programs with strong evidence of effectiveness. Overall, these investments and your FY 2017 Budget submission should together achieve a level that is no more than the net discretionary total provided for your agency for FY 2017 in the FY 2016 Budget, for both defense and non-defense programs. These additional investments should be separately identified in your budget submission and ranked in priority order. As in previous years, when developing your FY 2017 submission, please exclude: 1) shifts of costs to other parts of the Federal budget; 2) reclassifications of existing discretionary spending to mandatory; 3) reductions to mandatory spending to be enacted in appropriations bills; 4) across-the-board reductions; and 5) the enactment of new user fees to offset existing spending. You may, however, include these items as separate proposals for consideration on their merits or as alternative ways to achieve the guidance. Your request for mandatory spending should reflect the same rigorous review as you undertake for discretionary spending. OMB will work with you over the next several months to identify areas of mandatory spending that merit special scrutiny, including reviewing the mandatory proposals included in the FY 2016 Budget. Agencies are particularly encouraged to identify new mandatory savings proposals as part of their FY 2017 budget submissions. In addition, if your budget request includes any new mandatory proposals that are not at least budget neutral, they should be accompanied by new mandatory savings proposals to offset those costs. The President is committed to creating a Government that will make a significant, tangible, and positive difference in the lives of the American people and the economy, and to driving lasting change in how Government works. To that end, agency budget choices discussed above should be driven by the agency's strategic plan and prioritization across their goals and objectives as informed by their strategic review. To help deliver on the President's vision for a Government of the Future, the FY 2016 Budget included a set of reform priorities to advance the four key pillars of the President's Management Agenda: effectiveness-delivering world-class customer service to citizens and businesses; efficiency-enhancing productivity and achieving cost savings across the Government; economic Growth-opening Government-funded data and research to the public to spur innovation, entrepreneurship, economic growth, and job opportunities; and people and Culture-unlocking the full potential of today's Federal workforce and building the workforce needed for tomorrow. Agencies should continue to invest in these priorities in their FY 2017 submissions.

FAST Act and FY16 Consolidated Appropriations Act: Funding Opportunities

In December the President signed into law both the FAST Act, “Fixing America’s Surface Transportation Act.,” the five-year Federal highway, transit, motor carrier and rail program, and the FY16 Consolidated Appropriations Act that funds all twelve appropriations bills for FY16. These laws provide various funding opportunities for infrastructure, as follows:

Federal Opportunities

Nationally Significant Freight and Highway Projects Program. This program will provide an average of **\$900 million per year** in grants of at least \$25 million for highway, bridge, rail-grade crossing, intermodal and freight rail projects costing more than \$100 million that improve movement of both freight and people, increase competitiveness, reduce bottlenecks, and improve intermodal connectivity. The Secretary will award projects competitively based on criteria listed in the bill. At least 25 percent of the funds must be spent in rural areas and the federal share of project costs will be 60 percent. While the program allows HTF resources to be diverted to freight rail projects, it will impose a \$500 million limitation on the total amount that can be awarded over the next five years to freight and intermodal projects. It also reserves 10 percent of the annual grant awards for projects that do not meet the program’s cost threshold. The Secretary of Transportation must report all grant awards to Congress, which will have 60 days to reject a project by joint resolution.

TIFIA. The Transportation Infrastructure Finance and Innovation Act (TIFIA) program provides federal credit assistance in the form of direct loans, loan guarantees, and standby lines of credit to finance surface transportation projects of national and regional significance. TIFIA credit assistance provides access to capital markets, flexible repayment terms, and potentially more favorable interest rates than can be found in private capital markets for similar instruments. TIFIA can help advance qualified, large-scale projects that otherwise might be delayed or deferred because of size, complexity, or uncertainty over the timing of revenues. Many surface transportation projects - highway, transit, railroad, intermodal freight, and port access - are eligible for assistance. Each dollar of federal funds can provide up to \$10 in TIFIA credit assistance - and leverage \$30 in transportation infrastructure investment. MAP-21 provided \$1.7 billion in new TIFIA loan authority. The FAST ACT provides additional funding of **\$275 million in FY16; \$275 million in FY17; \$285 million in FY18; \$300 million in FY19; and, \$300 million in FY20.**

TIGER Discretionary Grants. The U.S. Department of Transportation (USDOT) has awarded grants under seven annual TIGER programs for surface transportation projects that will have a significant impact on the Nation, a metropolitan area or a region. This program was first created in the 2009 Recovery Act, since which time USDOT has referred to these grants as Transportation Investment Generating Economic Recovery or "TIGER Discretionary Grants." Beginning with the Recovery Act and continuing through the FY15 appropriations processes, Congress has provided DOT with seven rounds of competitive grants totaling just over \$4.7 billion for capital investments in surface transportation infrastructure. Since 2009, the TIGER program has awarded 342 projects in all 50 states, the District of Columbia and Puerto Rico, including 117 projects to support rural and tribal communities. For FY16, **\$500 million** is provided in the FY16 Omnibus Appropriations Act for an eighth round of grants in 2016.

State Opportunities

National Highway Performance Program (NHPP). The NHPP is the most significant highway program, focusing on maintaining and improving the Interstate Highway System and other major highways designated as part of the National Highway System. The program receives 63.7 percent of formula funds remaining after funding is provided for the Congestion Mitigation & Air Quality (CMAQ) Program, metropolitan planning and national freight programs. The new law will add two permissible uses for NHPP funds: to pay subsidy and administrative costs for TIFIA projects and for improvements to bridges that are not on the National Highway System.

Surface Transportation Block Grant. The FAST Act expands the existing Surface Transportation Program (STP) into a “Surface Transportation Block Grant Program (STBGP)” based on the thought that most of the benefits of STP funds accrue locally and that decisions about how such funds are obligated should be determined by state and local governments, which can best respond to unique local circumstances and implement the most efficient solutions. The bill rewrites and simplifies the list of uses eligible for program funds and increases the ways that STP funds can be used for local roads and rural minor collectors. The new program still requires that a fraction of program funds be distributed within each state on the basis of population, and the fraction subject to this requirement grows from 50 percent in 2015 under the existing STP program to 55 percent in FY 2020 and thereafter. Furthermore, \$835 million to \$850 million of the annual funding for this program is set aside for the transportation alternatives program, which supports a variety of pedestrian, bicycling, and environmental activities. This maintains the same funding for enhancements as in MAP-21. It also requires states to invest the same amount each year in recreational trails as in 2009, although states are able to opt out of the Recreational Trails Program. The STBGP block grant program receives the same 29.3 percent of formula funds as did the STP program under MAP-21.

Congestion Mitigation & Air Quality (CMAQ) Program. This long-standing program focuses on reducing highway traffic congestion and improving air quality with a particular focus on states and areas that do not meet current air quality standards. The FAST Act makes only a few changes to the CMAQ program: CMAQ funds can be used not only for attainment of ambient air quality standards, but also to maintain standards in an attainment area; the diesel retrofit program is expanded to include port-related off-road equipment and vehicles; and low-population-density states are exempt from PM 2.5 attainment requirements if the non-attainment area has no projects that are part of a transportation plan and vehicles are an insignificant contributor to PM 2.5 non-attainment. The CMAQ program receives the same share of formula funds as applied under MAP-21.

Highway Safety Improvement Program (HSIP). The Act ends the ability of states to shift funds designated for infrastructure safety projects to behavioral or educational activities, ensuring resources remain in construction-related programs. It also designates several new safety improvements eligible for funding including vehicle-to-infrastructure communication and roadway improvements that provide separation between pedestrians and motor vehicles. With regards to unpaved roads, it allows states to “opt out” of collecting safety inventory data for unpaved/gravel roads if certain conditions are met, as long as the states continue to collect data related to serious crashes and fatalities. It also requires the U.S. DOT to review data and report to Congress on best practices for roadway infrastructure improvements that enhance commercial motor vehicle safety.

Transportation Alternatives. MAP-21 combined the Transportation Enhancement Program, Safe Routes to School and the Recreational Trails Program into a comprehensive Transportation Alternatives Program. The most significant FAST Act modification to this program changes its

funding from 2 percent of annual apportionments (about \$820 million per year) to a flat \$835 million in FY16 and FY17 and then to \$850 million per year thereafter. The FAST Act also expands eligible recipients for funds to include nonprofits responsible for administration of local transportation safety programs and requires annual reports from state and local planning organizations on the number of project applications and awards.

National Freight Program. The FAST Act transforms the National Freight Policy provisions of MAP-21 into a new program that funds freight-related highway improvements. It authorizes a five-year total of \$6.2 billion program. Funds are apportioned among the states by formula, but states must establish a freight advisory committee and develop a state freight investment plan before obligating any funds. Under the proposal, the Secretary of Transportation and the states will designate a “National Freight Network” comprised of the Interstate highways and other roads that are critical to the safe and efficient shipment of freight. The national and state networks will be update every five years. Program funds will be directed under national and state strategic plans to projects that improve highway freight transportation. States will be able to obligate up to 10 percent of their freight program funds for improvements to freight rail or ports, statutorily breaking a long-standing practice against opening up HTF resources to modes of transportation other than highways and public transportation.

FY16 Omnibus Appropriations Act: Funding Items

To review one last time, the Consolidate Appropriations Act includes appropriations legislation and funding for the 12 annual Appropriations bills through the end of the fiscal year, September 30, 2016, as well as a tax measure that permanently extends more than 20 tax cuts for businesses and individuals (see the following section). The House passed the omnibus spending portion 316-113 and the tax-extenders 318-109. The Senate voted 65-33 to send the entire package to the President who signed the legislation into law on December 18. The overall level -\$1.15 trillion - reflects the increased domestic discretionary funding provided by the Bipartisan Budget Act of 2015, which was enacted on November 2. The bill includes: \$1,067 billion in base funding; \$7.1 billion of disaster aid; \$1.5 billion for program integrity; and \$700 million in emergency funding. The package also contains emergency Global War on Terror (GWOT) Overseas Contingency Operations (OCO) funding of \$73.7 billion to combat the emerging real-world threat brought by the Islamic State of Iraq and the Levant (ISIL) and other U.S. enemies, to conduct successful military operations, and to maintain a well-equipped and prepared military force. In addition to the 12 Appropriations bills, the package also includes other legislative language, including reforms to the Visa Waiver program, and a lifting of the ban on U.S. oil exports. Relevant infrastructure subject highlights are as follows:

Clean Water and Safe Drinking Water SRF's -

The Clean Water State Revolving Fund is funded at \$1.394 billion and the Drinking Water State Revolving Fund is funded at \$863 million, restoring cuts proposed in the House and Senate Committee marks. The bill increases the total of these investments by \$482 million more than the House Committee mark and \$434 million more than the Senate Committee marks.

Corps of Engineers -

The bill provides \$5.989 billion, \$1.257 billion more than the budget request, for the Corps of Engineers. It is also about \$350 million more than the House Committee mark and \$489 million more than the Senate Committee mark. Every one dollar spent on Army Corps of Engineer projects nets \$16 in economic benefits. The bill provides \$121 million for water resources

studies, \$24 million more than the Administration's request. The bill allows 10 new study starts pertaining to rivers and harbors, flood and storm damage reduction, shore protection and aquatic ecosystem restoration. The bill provides \$1.862 billion for water resources projects that provide for improvements to navigation, flood risk management and for ecosystem restoration. This amount is \$223 million more than the fiscal year 2015 enacted amount and \$690 million more than the request. The bill allows six new construction starts. The bill provides \$345 million for the construction, operation and maintenance of navigation, flood control and ecosystem restoration projects along the Mississippi River and its tributaries from Cairo, Illinois to the mouth of the Mississippi River. This amount is \$43 million more than the fiscal year 2015 enacted amount and \$120 million more than the fiscal year 2016 budget request. The bill provides \$3.137 billion for operation and maintenance of water resources projects such as Baltimore Harbor, Mobile Harbor and numerous other ports and flood control projects. That is \$228 million more than the fiscal year 2015 enacted amount and \$427 million more than the fiscal year 2016 request. The bill provides \$1.254 billion for eligible activities that are reimbursed by the Harbor Maintenance Trust Fund.

Transportation -

The bill provides \$57.6 billion in funding – an increase of \$3.8 billion compared to the fiscal year 2015 enacted level – and \$114 billion in total budgetary resources. This level reflects the increased domestic discretionary funding provided by the Bipartisan Budget Act of 2015, which was enacted on November 2, and the surface transportation funding levels provided in the recently passed Fixing America's Surface Transportation (FAST) Act. However, when accounting for changes in various offsets and collections, the bill represents an actual, programmatic increase of only \$2.1 billion over last year. The bill includes \$18.7 billion in discretionary appropriations for the Department of Transportation (DOT) – \$847 million above the 2015 enacted level and \$5.4 billion below the President's request. The bill also provides DOT with \$56.4 billion in "obligation limitation" funding for surface transportation and safety programs. Within this total, the legislation provides \$500 million for the TIGER program.

- Highways – The bill provides the full amount authorized by the recently enacted FAST legislation – \$42.4 billion. This is an increase of \$2.1 billion over the 2015 enacted level.
- Air – Included in the legislation is \$16.3 billion for the Federal Aviation Administration (FAA), \$564 million above the 2015 enacted level. The bill rejects the Administration's proposal for new passenger facility fees. The bill funds FAA's Next Generation air transportation systems (NextGen) at \$2.9 billion – an increase of \$255 million above the 2015 enacted level.
- Rail – The Federal Railroad Administration (FRA) is funded at \$1.7 billion, an increase of \$52 million above the 2015 enacted level. Within this amount, Amtrak grant funding is maintained at \$1.4 billion, and \$50 million is provided for positive train control technologies and other rail safety grants. No funding is provided for high-speed rail.
- Transit – The bill contains \$11.8 billion for the Federal Transit Administration (FTA) – an increase of \$870 million over the 2015 enacted level – meeting the level authorized by the recently enacted FAST legislation. The legislation allows \$9.3 billion in state and local transit grant funding from the Mass Transit Account of the Highway Trust Fund, to help local communities build, maintain, and ensure the safety of their mass transit systems. The legislation also provides a total of \$2.2 billion for Capital Investment Grants ("New Starts"), full funding for state and local "Small Starts" grants, and funding for all current "Full Funding Grant Agreement" projects within FTA.

- Safety – The legislation contains funding for the various transportation safety programs and agencies within DOT. This includes \$869 million in both mandatory and discretionary funding for the National Highway Traffic Safety Administration (NHTSA), \$580 million for the Federal Motor Carrier Safety Administration, and \$252 million for the Pipeline and Hazardous Materials Safety Administration.
- Maritime – The legislation contains \$210 million for the Maritime Security Program, an increase of \$24 million over the 2015 enacted level.

Bill Tracking

Note: some of the following bills lack a subject summary. That is because the internal Hill bill information system has still not “caught up” with the number of bills introduced. It will. Also, some of the following bills may drop off the tracking list depending upon what is learned about their subject matter.

H.R.935, To establish a National Freight Network Trust Fund to improve the performance of the national freight network, and for other purposes.

Introduced on Feb. 12 by Congresswoman Janice Hahn (D-CA-44) with 11 (now 18) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure and Ways and Means. Last Congress: On July 14, Congresswoman Janice Hahn (D-CA), Co-Chair of the Congressional Ports Caucus, introduced H.R. 5101, the “National Freight Network Trust Fund Act of 2014”. The legislation (with 39 cosponsors) calls for transferring five percent of all import duties collected by U.S. Customs and Border Protection (calculated to be about \$1.9B annually) into a new freight trust fund. Her goal is to use this bill to continue the freight funding discussion as the House Transportation and Infrastructure Committee starts to draft its MAP-21 reauthorization bill. Hahn's bill: operates as a competitive grant program in which the U.S. Secretary of Transportation makes the selections; requires a federal project cost share of 90 percent; names ports, states, and local and regional transportation bodies as eligible entities; names state freight plan projects and state transportation plan projects as eligible; specifies that funds can be used for connectors, regional freight projects, cross-border projects, on dock rail, and intermodal freight facility projects; and, requires state freight plans be updated every five years.

Status Update: no change since the last report.

H.R.198, the “MOVE Freight Act of 2015”

Introduced on January 7 by Congressman Albio Sires (D-NJ-8) with no (now 4) cosponsors. The bill was referred to the House Committee on Transportation and Infrastructure. The Multimodal Opportunities Via Enhanced Freight Act of 2015 or “MOVE Freight Act of 2015” defines the “national freight network” as a network composed of highways, railways, navigable waterways, seaports, airports, freight intermodal connectors, and aerotropolis transportation systems most critical to the multimodal movement of freight; revises requirements for establishment and designation of a national freight network; directs the Secretary of Transportation (DOT) to establish a national freight network for efficient movement of freight on highways (as currently), railways, and navigable waterways, as well as into and out of inland ports, seaports, and airports; re-characterizes the primary freight network as multimodal, including critical rail corridors, critical intermodal connections, and critical inland port, seaport, and airport infrastructure; directs the Secretary to require (currently, encourage) states to develop state freight plans for immediate and long-range planning activities and investments with respect to freight. Requires

states to coordinate with neighboring states to ensure multistate network continuity and connectivity; directs the Secretary to establish a competitive grant program for capital investment projects that improve the efficiency of the national transportation system to move freight; limits the federal share of project net capital costs to 80%; and, requires a grant recipient to submit to the Secretary: (1) a project management plan and an annual financial plan for a project with a total cost of \$500 million or more, or (2) an annual financial plan for a project with a total cost of \$100 million or more.

Status Update: no change since the last report.

H.R.2716, Transportation Empowerment Act

Introduced on June 10 by Congressman Ron DeSantis (R-FL-6) with 9 (now 43) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure, Ways and Means, Budget and Rules. This bill prescribes a limitation on funding of transportation programs and projects for FY2016-FY2020. Appropriations out of the Highway Trust Fund (HTF) (other than the Mass Transit Account) are authorized for FY2016-FY2020, subject to a certain limitation, for specified core programs under the federal-aid highway program, including emergency relief for highways and roads, the federal lands transportation program, and Federal Highway Administration administrative expenses. A state may transfer and use excess federal-aid highway funds for any surface transportation project (including mass transit and rail). Certain limits are placed on federal assistance to states for highway bridge replacement and rehabilitation to bridges on the federal-aid highway system. Beginning with FY2015, a highway construction or improvement project shall not be considered a federal project: unless and until a state expends federal funds for the construction portion of the project, solely by reason of the state expenditure of federal funds before the construction phase of the project (including for any environmental document or design work), or upon state reimbursement to the federal government of the federal costs of such projects. The Internal Revenue Code is amended to make amounts in the HTF available for expenditure for core highway programs through FY2022. The Department of the Treasury shall pay from the HTF into the Treasury general fund amounts equivalent to the floor stocks refunds made before July 1, 2022, as well as into the Airport and Airway Trust Fund amounts equivalent to certain aviation fuel taxes received before October 1, 2022. A motor fuel tax rate schedule is prescribed for the financing of core highway programs. Treasury authority to make certain transfers to the Mass Transit Account shall be terminated at the end of FY2016, at which time Treasury shall transfer all amounts from the Mass Transit Account to the Highway Account. The national highway performance program is revised to repeal program requirements for specified National Highway System transportation improvement projects, including environmental mitigation projects. The surface transportation program is revised to eliminate from eligibility for program assistance: carpool projects, fringe and corridor parking facilities and programs, including electric vehicle and natural gas vehicle infrastructure, and bicycle transportation and pedestrian walkways projects transportation alternatives; and environmental mitigation projects, including environmental restoration and pollution abatement projects Also repealed are: the obligation of a state to use a portion of program funds for replacement or rehabilitation of off-system bridges, metropolitan transportation planning requirements for federal-aid highways, and the authorization of federal assistance to states for historic bridges. Certain requirements of the highway safety improvement program are revised or repealed, eliminating eligibility for projects for pedestrian or bicyclist safety or safety of persons with disabilities. The congestion mitigation and air quality improvement program and the transportation alternatives program are repealed. Appropriations out of the HTF (other than the Mass Transit Account) are authorized for FY2016-FY2020 for the highway research and development program. Treasury shall allocate to the states for surface transportation projects (including mass transit and rail) any excess highway tax receipts appropriated to the HTF in

FY2016-FY2019. Excise taxes on gasoline, diesel fuel or kerosene, and diesel-water fuel emulsion are reduced. Credits or refunds are required for certain floor stocks taxes on liquids imposed before October 1, 2020. This Act shall become effective only if the Office of Management and Budget certifies that it is deficit neutral.

Status Update: three cosponsors added since the last report.

S.1544, A bill to rescind unused earmarks provided for the Department of Transportation, and for other purposes.

Introduced on June 10 by Senator Jeff Flake (R-AZ) with no (now 2) cosponsors. The bill was referred to the Committee on Appropriations. This bill rescinds unused earmarks previously appropriated to the Department of Transportation (DOT) and transfers the balances to the Highway Trust Fund. Under the House and Senate rules, an earmark is a provision or report language included primarily at the request of a Member of Congress providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific state, locality or congressional district, other than through a statutory or administrative formula-driven or competitive award process. Under this bill, earmarks provided to DOT are unused and rescinded if more than 90% of the funding remains available for obligation at the end of the 9th fiscal year following the year the earmark was made available. DOT may delay the rescission if it determines that an additional obligation is likely to occur during the 10th year after funds were made available. The bill requires each federal agency to submit an annual report to the Office of Management and Budget (OMB) identifying: (1) each earmark for a project that is ineligible for funding, (2) projects for which funding has been made available under an earmark, and (3) projects with unobligated balances. OMB must submit to Congress and post on its website an annual report including an accounting of unobligated earmarks, rescissions resulting from this bill, and DOT earmarks scheduled to be rescinded

Status Update: no change since the last report.

S.1732, Comprehensive Transportation and Consumer Protection Act of 2015

Introduced on July 9 by Senator John Thune (R-SD) with two cosponsors. The bill was referred to the Committee on Commerce, Science, and Transportation and was ordered reported.

Status Update: no change since the last report.

H.R.2353, Highway and Transportation Funding Act of 2015

Introduced on May 15 by Congressman Bill Shuster (R-PA-9) with one cosponsor. Directs the Secretary of Transportation to reduce the amount apportioned for a surface transportation program, project, or activity for FY2015 by amounts apportioned or allocated under the Highway and Transportation Funding Act of 2014 for the period from October 1, 2014, through May 31, 2015. Amends the Highway and Transportation Funding Act of 2014 to continue from October 1, 2014, through July 31, 2015, and authorizes appropriations through that period for, specified federal-aid highway programs under: the Moving Ahead for Progress in the 21st Century Act (MAP-21), the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Technical Corrections Act of 2008, SAFETEA-LU, the Transportation Equity Act for the 21st Century (TEA-21), the National Highway System Designation Act of 1995, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), and other

specified law. Subjects funding for such programs generally to the same manner of distribution, administration, limitation, and availability for obligation, but at a specified pro rata of the total amount, as funds authorized for appropriation out of the Highway Trust Fund (HTF) for such programs and activities for FY2014. Amends the Moving Ahead for Progress in the 21st Century Act (MAP-21) to authorize appropriations out of the general fund of the Treasury for the Tribal High Priority Projects program for the same period. Prescribes an obligation ceiling of \$33,528,284,932 for federal-aid highway and highway safety construction programs for the same period. Authorizes appropriations from the HTF (other than the Mass Transit Account) for administrative expenses of the federal-aid highway program for the same period. Extends for the same period the authorization of appropriations for National Highway Traffic Safety Administration (NHTSA) safety programs, including: highway safety research and development, national priority safety programs, the National Driver Register, the High Visibility Enforcement Program, and NHTSA administrative expenses. Amends SAFETEA-LU to extend for the same period high-visibility traffic safety law enforcement campaigns under the High Visibility Enforcement Program. Sets aside a specified amount of the total apportionment to states for highway safety programs for a cooperative program to research and evaluate priority highway safety countermeasures for the same period. Extends for the same period the authorization of appropriations for Federal Motor Carrier Safety Administration (FMCSA) programs, including: motor carrier safety grants, FMCSA administrative expenses, commercial driver's license program improvement grants, border enforcement grants, performance and registration information system management grants, commercial vehicle information systems and networks deployment grants, safety data improvement grants, a set-aside for high priority activities that improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations, a set-aside for new entrant motor carrier audit grants, FMCSA outreach and education, and the commercial motor vehicle operators grant program. Amends the Dingell-Johnson Sport Fish Restoration Act to continue, for the same period, the authorized distribution of funds for coastal wetlands, recreational boating safety, projects under the Clean Vessel Act of 19921, boating infrastructure projects, and the National Outreach and Communications Program. Extends for the same period the apportionment of non-urbanized (rural) area formula grants for competitive grants and formula grants for public transportation on Indian reservations. Extends the apportionment of urbanized area formula grants for passenger ferry projects for the same period. Extends for the same period the authorization of appropriations from the HTF Mass Transit Account for: formula grants for public transportation, including allocations for specified projects; research, development demonstration, and deployment projects; the transit cooperative research program; technical assistance and standards development grants; human resources and training grants; capital investment grants; and administrative expenses. Allocates, for the same period, certain amounts to states and territories for formula bus and bus facilities grants. Authorizes appropriations for the same period for hazardous materials (hazmat) transportation safety projects. Authorizes the Secretary to make certain expenditures, including an amount for hazmat training grants, from the Hazardous Materials Emergency Preparedness Fund for the same period. Amends the Internal Revenue Code to extend through July 31, 2015, the authority for expenditures from: (1) the HTF Highway and Mass Transit Accounts, (2) the Sport Fish Restoration and Boating Trust Fund, and (3) the Leaking Underground Storage Tank Trust Fund. Bill became law (PL 114-21).

Status Update: no change since the last report.

H.R.2410, To authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes.

Introduced on May 19 by Congressman Peter DeFazio (D-OR-4) with 23 (now 62) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure, Energy and

Commerce, Ways and Means, Science, Space, and Technology, Natural Resources, Oversight and Government Reform, the Budget, and Rules. Prescribes requirements for environmental reviews with respect to state and federal agency engagement, obstruction of navigation, historic sites, categorical exclusion of multimodal projects from environmental review, and creation in the Department of Transportation (DOT) of an Interagency Infrastructure Permitting Improvement Center. Directs DOT to establish a multimodal freight incentive grant program and a National Freight Infrastructure Program. Re-designates the Dwight D. Eisenhower System of Interstate and Defense Highways as the National Highway System and the National Freight Network. Requires the federal long-range transportation plan to include a transportation system resilience assessment. Prescribes criteria for high performing metropolitan planning organizations (MPOs) representing urbanized areas with populations of over 200,000. Removes the congestion management process from the transportation planning process for MPOs. Directs DOT to establish a pilot program for up to 10 MPOs to improve multimodal connectivity and increase connections for disadvantaged Americans and neighborhoods with limited transportation options. Revises requirements with respect to congestion mitigation and air quality improvement, including electric vehicle charging stations and commercial motor vehicle anti-idling facilities in rest areas along the Interstate System. Establishes in DOT: a discretionary TIGER Infrastructure Grant Program for various transportation projects; and a discretionary FAST Grant Program to reform the way surface transportation investments and decisions are made, implemented, and funded to achieve national transportation outcomes. Revises requirements for the funding of railroad rehabilitation and improvement financing, the state infrastructure bank program, toll roads, bridges, tunnels, and ferries. Establishes within DOT the position of Assistant Secretary for Innovative Finance. Reauthorizes the federal-aid highway and related programs through FY2021, including revised obligation limitation and apportionment requirements. Directs DOT to: establish a nationally significant federal lands and tribal projects program to fund construction, reconstruction, or rehabilitation of nationally significant federal lands and tribal transportation projects; carry out a broadband infrastructure deployment initiative; create a program to make critical and immediate improvements to infrastructure and highway safety; set-aside specified funds for states for highway safety data improvement activities on public roads; and create and maintain data sets and data analysis tools to assist MPOs, states, and the DOT in carrying out performance management analyses. Federal Public Transportation Act of 2015 Revises fixed guideway capital investment grants requirements. Authorizes grants to state and local governments for very small starts projects. Revises requirements for formula grants for enhanced mobility and for rural areas, workforce development programs, and the public transportation safety program. Requires recipients of transportation assistance to meet certain standards for hiring locally. Reauthorizes specified public transportation assistance programs through FY2021. Authorizes DOT to make competitive grants to state and local governmental entities for bus rapid transit projects. Authorizes appropriations for specified highway safety programs through FY2021, and revises related requirements. Revises criteria for state graduated driver licensing incentive grants. Adds a 24-7 sobriety program to criteria for state repeat offender and open container laws. Authorizes specified amounts of grant funds to states for distracted driving enforcement. Authorizes appropriations for specified motor vehicle safety programs through FY2021, and increases penalties for safety violations. Revises certain reporting requirements for tire manufacturers. Requires DOT to conduct a pilot grant program to evaluate the feasibility and effectiveness for a state process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration. Revises specified requirements for commercial motor vehicle and commercial driver safety. Requires disqualification to operate a commercial motor vehicle for anyone who fails to pay an assessed civil penalty for a motor vehicle safety violation. Revises certain medical and registration requirements for commercial motor vehicle operators. Revises requirements for the Motor Carrier Safety Assistance Program. Directs DOT to administer a High Priority Program, an innovative technology deployment grant program, and a Commercial Motor Vehicle

Operators Grant Program. Authorizes DOT to establish: a motor carrier safety facility working capital fund, and a financial assistance program for commercial driver's license program implementation. Directs DOT to maintain for the Federal Motor Carrier Safety Administration a motor carrier safety advisory committee. Revises requirements for the Unified Carrier Registration System plan. Repeals the authorization for self-insurance by motor carriers. Prescribes notice requirements relating to decisions that electronic logging devices fail to comply with standards. Authorizes DOT to issue regulations: governing contractors that exercise control over motor carrier operations; and requiring motor vehicle employers to track and compensate employees for on-duty, not-driving time. Authorizes DOT, with respect to unsafe conditions or practices in the transportation of hazardous materials (hazmat transportation), to order necessary: operational controls, restrictions, and prohibitions without prior notice or an opportunity for a hearing; and removal, remediation, or disposal of hazardous materials causing unreasonable risk of death, personal injury, or significant harm to the property or the environment. Authorizes DOT to collect reasonable fees for the administration of the special permits and approvals for deposit into a Hazardous Materials Approvals and Permits Fund. Revises requirements for planning and training grants under the Emergency Planning and Community Right-To-Know Act of 1986. Reauthorizes the program for regulating hazmat transportation through FY2021. Amends the Internal Revenue Code to extend through FY2023 specified highway-related taxes as well as requirements for expenditures from the Sport Fish Restoration and Boating Trust Fund. Replaces the Highway Trust Fund with a Transportation Trust Fund, and authorizes appropriations to it through FY2021. Directs DOT to establish and support a National Cooperative Freight Transportation Research Program and a Priority Multimodal Research Program. Revises the competitive selection process for the university transportation centers consortia program. Requires the Director of the Bureau of Transportation Statistics (BTS) to create data sets and data analysis tools for intermodal transportation data. Establishes in the BTS a National Transportation Library. Authorizes the BTS Director to establish a Port Performance Statistics Program to provide nationally consistent measures of performance of the nation's maritime ports. Revises requirements for the intelligent transportation system (ITS) program. Includes as an ITS program goal the development and deployment of automated vehicles in all modes of surface transportation. Prescribes requirements for the use of funds to develop ITS infrastructure, equipment, and *systems*. *Rail for America Act* Directs DOT to facilitate by financial assistance the establishment of a National High-Performance Rail System of integrated passenger and freight rail services, including a Current Passenger Rail Service Program and a Rail Service Improvement Program. Authorizes appropriations through FY2021 for the System and for the planning, development, construction, and implementation of rail corridors and related infrastructure improvements. Requires Amtrak to submit to the Secretary draft 5-year business line plans and draft 5-year capital asset plans. Authorizes DOT to establish Regional Rail Development Authorities, including a Regional Committee, to facilitate the development of multi-state high-performance rail services, and to coordinate these investments with other rail, transit, highway, and aviation system services. Prescribes requirements for the standardization of passenger equipment and level-entry boarding platforms. Directs DOT to: evaluate the shared-use of right-of-way by passenger and freight rail systems and the operational, institutional, and legal structures that would best support improvements to both of these systems; and conduct a nationwide disparity and availability study to establish the availability and utilization of small business concerns owned and controlled by socially and economically disadvantaged individuals in publicly funded railroad projects. Requires DOT to complete a National Rail Development Plan meeting certain criteria, and facilitate development of Regional Rail Development Plans. Authorizes DOT to prescribe regulations or issue orders to require host railroads for joint operations that occur within a small geographic area to develop unified rules governing all operations within that area. Revises or prescribes requirements relating to positive train control, hours of service, maximum employee duty hours, safety appliances, locomotive inspections, noise emission standards, and damaged track inspection equipment. Authorizes federal agency

heads to construct, install, operate, and maintain electric charging infrastructure for official agency vehicles.

Status Update: no change since the last report.

S.206, Local Transportation Infrastructure Act

Introduced on January 21 by Senator Kelly Ayotte (D-NH) with no cosponsors. The bill was referred to the Committee on Commerce, Science and Transportation. The bill revises and reauthorizes the state infrastructure bank program for FY2015 and FY2016.

Status Update: no change since the last report.

H.R.652, State Transportation and Infrastructure Financing Innovation Act (STIFIA)

Introduced on February 3 by Congressman Richard Hanna (R-NY-22) with 3 cosponsors. The bill was referred to the Subcommittee on Highways and Transit of the Transportation and Infrastructure Committee. The bill revises and reauthorizes the state infrastructure bank program for FY2016-FY2020.

Status Update: no change since the last report.

H.R.413, Partnership to Build America Act of 2015

Introduced on January 21 by Congressman John Delaney (D-MD-6) with 34 (now 41) cosponsors. The bill was referred to the Committees on Ways and Means and Transportation and Infrastructure. The bill establishes the American Infrastructure Fund (AIF) as a wholly-owned government corporation to provide bond guarantees and make loans to state and local governments, non-profit infrastructure providers, private parties, and public-private partnerships for state or local government sponsored transportation, energy, water, communications, or educational facility infrastructure projects (Qualified Infrastructure Projects [QIPs]). Authorizes AIF also to make equity investments in QIPs. Directs the Secretary of the Treasury, acting through the AIF, to issue American Infrastructure Bonds with an aggregate face value of \$50 billion. Requires proceeds from the sale of the bonds to be deposited into the AIF. Amends the Internal Revenue Code to allow U.S. corporations to exclude from gross income qualified cash dividend amounts received during a taxable year from a foreign-controlled corporation equal to the face value of qualified infrastructure bonds the corporation has purchased. Prohibits allowance of a foreign tax credit to the excluded portion of any dividend received by a U.S. corporation. Prohibits also the allowance of a deduction for expenses related to that excludable portion.

Status Update: no change since the last report.

H.R.625, Infrastructure 2.0 Act

Introduced on January 30 by Congressman John Delaney (D-MD-6) with 4 (now 24) cosponsors. The bill was referred to the Committees on Rules, Ways and Means and Transportation and Infrastructure. Amends the Internal Revenue Code, with respect to the taxation of earnings and profits of a deferred foreign income corporation, to: (1) make such earnings and profit subject to taxation in the last taxable year that ends before the enactment of this Act; (2) reduce the rate of tax on such earnings and profits by allowing an exemption of 75% (equal to a tax of 8.75% of repatriated earnings and profits); and (3) allow such corporations to elect to pay such tax in eight

installments. Establishes the American Infrastructure Fund to provide assistance to states, local governments, and other public and private entities for investment in public infrastructure projects. Appropriates tax revenues from this Act to the Highway Trust Fund. Establishes the Highway Trust Fund Solvency Commission to submit recommendations and proposed legislation for achieving long-term solvency of the Highway Trust Fund. Sets forth congressional procedures for the expedited consideration of a bill containing such legislation. Directs the Secretary of Transportation to establish a regional infrastructure accelerator pilot program to assist public entities in developing infrastructure projects. Establishes a deadline of 18 months after the enactment of this Act for the enactment of legislation that reforms the international tax system by eliminating the incentive to hold earnings in low-tax jurisdictions. Imposes a tax on repatriated offshore corporate earnings upon the expiration of the deadline. Sets forth provisions for the reform of the international tax system (to be effective if reform legislation is not enacted by the 18-month deadline established by this Act), including provisions relating to subpart F income and insurance income, gains and losses from the sale or exchange of stock in controlled foreign corporations, limitations on the foreign tax credit, and the tax treatment of previously deferred foreign income.

Status Update: no change since the last report.

H.R.211, REBUILD Act

Introduced on January 8 by Congressman Ken Calvert (R-CA-42) with no cosponsors. The bill was 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.

S.268, Rebuild America Act of 2015

Introduced on January 27 by Senator Bernard Sanders (I-VT) with one cosponsor. The bill was referred to the Committee on Banking, Housing, and Urban Affairs. Reduces the non-federal share of the cost of any activity funded by this Act by 50% of what it was before enactment of this Act. Appropriates funds for FY2015-FY2022 to the Highway Trust Fund to improve roads, bridges, and other U.S. transportation infrastructure. Appropriates funds for FY2015-FY2019: (1) for intercity high-speed rail service, (2) to provide credit assistance for surface transportation projects of national and regional significance, (3) to implement airport improvement and noise compatibility projects at public-use airports, (4) to the Federal Aviation Administration to accelerate deployment of satellite technology to improve airport safety and capacity, and (5) for the TIGER Discretionary Grant Program. Appropriates funds for FY2015-FY2019 for water infrastructure, including to: (1) the Environmental Protection Agency for capitalization grants to

states to establish water pollution control revolving funds and drinking water treatment revolving loan funds and for loans for large water infrastructure projects that are ineligible for funding from a state revolving loan fund; (2) the Federal Emergency Management Agency to carry out the predisaster hazard mitigation program for minor localized flood reduction projects and major flood risk reduction projects; and (3) the Army Corps of Engineers for inland waterways projects, coastal harbors and channels, inland harbors, and dams and levees. Appropriates funds for FY2015-FY2019 for the National Park Service. Appropriates funds for FY2015-FY2019 for the Broadband Initiatives Program, the Broadband Technology Opportunities Program, and the Department of Energy to modernize the electric grid. Establishes the National Infrastructure Development Bank as a wholly owned government corporation. Makes the Bank's Board of Directors responsible for monitoring and overseeing energy, environmental, telecommunications, data, or transportation infrastructure projects. Authorizes the Board to: make senior and subordinated loans and purchase senior and subordinated debt securities; issue and sell debt securities of the Bank; issue public benefit bonds and provide direct subsidies to infrastructure projects from the proceeds; make loan guarantees; borrow on the global capital market and lend to regional, state, and local entities, and commercial banks, to fund infrastructure projects; and purchase, pool, and sell infrastructure-related loans and securities on the global capital market. Requires the Board to establish: (1) an Executive Committee, a Risk Management Committee, and an Audit Committee; and (2) criteria for determining eligibility for financial assistance from the Bank and disclosure and application procedures for entities to nominate projects for such assistance. Requires the Bank to 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. Sets forth criteria to be considered by the Board in determining the eligibility of transportation, environmental, energy, and telecommunications infrastructure projects for assistance. Exempts all bonds issued by the Bank from state or local government taxation. Deems all debt securities and other obligations issued by the Bank to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission. Sets forth requirements regarding compliance of financed infrastructure projects with prevailing wage rate, domestic content, and buy American statutes. Authorizes appropriations for the capitalization of the Bank.

Status Update: no change since the last report.

H.R.1308, Economy in Motion: The National Multimodal and Sustainable Freight Infrastructure Act

Introduced on March 4 by Congressman Alan Lowenthal (D-CA-47) with 3 (now 15) cosponsors. The bill was referred to the Committees on Transportation and Infrastructure and Ways and Means. The bill directs the Secretary of Transportation to: (1) establish a Multimodal Freight Funding Formula Program to distribute funds to states, and a National Freight Infrastructure Competitive Grant Program to make grants to entities for projects, to improve the efficiency and reliability of freight movement in the United States; (2) establish a multimodal national freight network to accomplish the goals of the national freight policy, including increasing the productivity and efficiency of the national freight system and improving its safety, security, and resilience; (3) develop, maintain, and post on the public website of the Department of Transportation a national freight strategic plan that includes an assessment of the condition and performance of the national freight system; and (4) develop and improve tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects. Amends the Moving Ahead for Progress in the 21st Century Act (or MAP-21) to: (1) expand the membership and duties of state freight advisory committees; and (2) require state freight plans to include strategies and goals to decrease greenhouse gas emissions, local air pollution, water runoff, and wildlife habitat loss. Amends the Internal Revenue Code to:

(1) impose a 1% excise tax upon taxable ground transportation of property (i.e., transportation by freight rail or truck trailer and semitrailer chassis and bodies, suitable for use with a trailer or semitrailer with a gross vehicle weight of 26,000 pounds or more), and (2) deposit such tax revenues into a Freight Trust Fund (established by this Act) to finance the Multimodal Freight Program.

Status Update: no change since the last report.

H.R.1330, American-Made Energy and Infrastructure Jobs Act

Introduced on March 4 by Congressman Steve Stivers (R-OH-15) with one cosponsor. The bill was referred to the Committees on Natural Resources, Ways and Means, Energy and Commerce and Transportation and Infrastructure. Directs the Secretary to collect non-refundable fees from the operators of facilities subject to inspection under this Act. Establishes in the Treasury the Ocean Energy Enforcement Fund as depository for oil and gas leasing fees. Redefines the OCS to include all submerged lands lying within the U.S. exclusive economic zone and the Continental Shelf adjacent to any U.S. territory. Authorizes the Secretary of the Treasury, with the President's approval, to: (1) borrow for highway and transportation project expenditures and for water infrastructure expenditures, and (2) issue interest-bearing infrastructure revenue bonds for the amounts borrowed. Amends the Internal Revenue Code to appropriate to the Highway Trust Fund 95% of any proceeds from the issuance of such infrastructure revenue bonds. Makes available to the Administrator of the Environmental Protection Agency for making capitalization grants to eligible states: (1) 2.5% of infrastructure revenue bond proceeds for grants under the Federal Water Pollution Control Act, and (2) 2.5% of such proceeds for grants under Safe Drinking Water Act.

Status Update: no change since the last report.

H.R.278, Transportation Investment Generating Economic Recovery for Cities Underfunded Because of Size Act of 2015 or TIGER CUBS Act

Introduced on January 12 by Congressman Rick Larsen (D-WA-2) with one cosponsor. The bill was referred to the Committees on Appropriations and Budget. The bill provides \$500 million in supplemental FY2015 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. This funding is only available if the President designates the amounts as an emergency and submits the designation to Congress.

Status Update: no change since the last report.

H.R.680, Update, Promote, and Develop America's Transportation Essentials Act of 2015

Introduced on February 3 by Congressman Earl Blumenauer (D-OR-3) with 25 (now 38) cosponsors. The bill was referred to the House Committee on Ways and Means. The bill expresses the sense of Congress that by 2024 the gas tax should be repealed and replaced with a more sustainable, stable funding source. Amends the Internal Revenue Code, with respect to the excise tax on motor fuels, to increase the rate of tax on: (1) gasoline other than aviation gasoline to 26.3 cents per gallon in 2016, 30.3 cents per gallon in 2017, and 33.3 cents per gallon after

2017 and before 2028; (2) diesel fuel or kerosene to 32.3 cents per gallon in 2016, 36.3 cents per gallon in 2017, and 39.3 cents per gallon after 2017 and before 2027; and (3) diesel-water fuel emulsion. Delays the termination of such increased rates from the end of FY2016 to December 31, 2026. Requires an adjustment for inflation to such increased rates beginning after 2017. Increases allocations in the Mass Transit Account of the Highway Trust Fund in 2016 and 2017 and after 2017. Imposes a floor stocks tax on rate increases for gasoline, diesel fuel, and kerosene (other than aviation-grade kerosene), subject to specified exemptions for exempt uses and low-volume producers.

Status Update: no change since the last report.

S.762, Innovation in Surface Transportation Act of 2015

Introduced on March 17 by Senator Roger Wicker (R-MS) with 3 cosponsors. The bill was referred to the Committee on Environment and Public Works. The bill directs the Secretary of Transportation, in coordination with state transportation departments, to establish an innovation in surface transportation program. Requires states to make competitive grants for innovative surface transportation projects to eligible entities, including local governments, metropolitan planning organizations, regional transportation authorities, transit agencies, tribal governments, private providers of public transportation, nonprofit transportation organizations, port authorities, joint power authorities, freight rail providers, and local rail authorities. Requires each state (including the governor and state department of transportation) to establish an innovation in surface transportation selection panel to formulate criteria for selecting projects. Requires a state to reserve certain percentages of federal funds apportioned for the national highway performance, the highway safety improvement, the congestion mitigation and air quality improvement, surface transportation, and transportation alternatives programs in order to fund related projects under state innovative surface transportation grants. Authorizes states to reserve a certain percentage of such funds for a fiscal year to meet specific requests for project application support from eligible rural local governments.

Status Update: no change since the last report.

H.R.1620, 414 Plan Act of 2015

Introduced on March 25 by Congressman Randy Forbes (R-VA-4) with no cosponsors. The bill was referred to the House Committee on Transportation and Infrastructure. Declares that federal laws and regulations (including prevailing rate of wage requirements under the Davis-Bacon Act) shall not apply to any federal-aid highway or highway safety construction project, except those relating to: (1) the safety or durability of a highway facility, or (2) public or workplace safety. Repeals the prohibition against approval of federal-aid highway projects or regulatory actions that will result in the severance of an existing major route or have significant adverse impact on the safety for non-motorized transportation traffic and light motorcycles, unless the project or action provides for a reasonable alternative route or such a route exists. Defines "transportation alternatives" as any of the following activities when carried out as part of an authorized or funded federal-aid highway program or project, or as an independent program or project related to surface transportation for the construction, planning, and design of: (1) transportation projects to achieve compliance with the Americans with Disabilities Act of 1990; or (2) infrastructure-related projects and systems that will provide safe routes for nondrivers, including children, older adults, and individuals with disabilities to access daily needs. Repeals the authorization for states to use certain funds for construction of pedestrian walkways and bicycle transportation facilities. Eliminates the requirement that statewide transportation plans and statewide transportation improvement programs provide for the development of accessible

pedestrian walkways and bicycle transportation facilities. Expresses the sense of Congress that states, federal agencies, localities, and private stakeholders should take steps toward increased cooperation to further expedite surface transportation projects.

Status Update: no change since the last report.

S.176, W21, Water in the 21st Century Act

Introduced on January 13 by Senator Barbara Boxer (D-CA) with two cosponsors. The bill was referred to the Committee on Environment and Public Works. The House companion bill is H.R.291. Water in the 21st Century Act or W21 establishes within the Environmental Protection Agency (EPA) a WaterSense program to identify, label, and promote water efficient products, buildings, landscapes, facilities, processes, and services. This bill establishes a program to provide financial incentives for consumers to purchase and install products, buildings, landscapes, facilities, processes, and services labeled under the WaterSense program. The EPA is required to make grants to owners or operators of water systems to address any ongoing or forecasted impact of climate change on a region's water quality or quantity. The Department of the Interior may: (1) provide financial assistance to water projects in specified states, including projects for water recycling, water infrastructure, enhanced energy efficiency, desalination, and water storage and conveyance; and (2) transfer to nonfederal entities title to any reclamation projects or facility in need of rehabilitation that are authorized before enactment of this Act. The U.S. Geological Survey must establish an open water data system to advance the availability, timely distribution, and widespread use of water data and information for water management, education, research, assessment, and monitoring purposes. This bill reauthorizes through FY2020 the Water Desalination Act of 1996 and water resources research and technology institutes under the Water Resources Research Act of 1984. After receiving a request from a nonfederal sponsor, the U.S. Army Corps of Engineers must review the operation of a reservoir and, if appropriate, update the water control manual to incorporate improved weather and runoff forecasting methods. The EPA is required to develop voluntary national drought resilience guidelines relating to preparedness planning and investments for water users and providers. The U.S. Fish and Wildlife Service must prepare a salmon drought plan for California.

Status Update: no change since the last report.

H.R.291, W21, Water in the 21st Century Act

Introduced on January 14 by Congresswoman Grace Napolitano (D-CA-32) with 28 (now 31) cosponsors. The bill was referred to the Committees on Natural Resources, Energy and Commerce, Science and Transportation and Infrastructure. The Senate companion bill is S.176. Water in the 21st Century Act or W21 establishes within the Environmental Protection Agency (EPA) a WaterSense program to identify, label, and promote water efficient products, buildings, landscapes, facilities, processes, and services. This bill establishes a program to provide financial incentives for consumers to purchase and install products, buildings, landscapes, facilities, processes, and services labeled under the WaterSense program. The EPA is required to make grants to owners or operators of water systems to address any ongoing or forecasted impact of climate change on a region's water quality or quantity. The Department of the Interior may: (1) provide financial assistance to water projects in specified states, including projects for water recycling, water infrastructure, enhanced energy efficiency, desalination, and water storage and conveyance; and (2) transfer to nonfederal entities title to any reclamation projects or facility in need of rehabilitation that are authorized before enactment of this Act. The U.S. Geological Survey must establish an open water data system to advance the availability, timely distribution, and widespread use of water data and information for water management, education, research,

assessment, and monitoring purposes. This bill reauthorizes through FY2020 the Water Desalination Act of 1996 and water resources research and technology institutes under the Water Resources Research Act of 1984. After receiving a request from a nonfederal sponsor, the U.S. Army Corps of Engineers must review the operation of a reservoir and, if appropriate, update the water control manual to incorporate improved weather and runoff forecasting methods. The EPA is required to develop voluntary national drought resilience guidelines relating to preparedness planning and investments for water users and providers. The U.S. Fish and Wildlife Service must prepare a salmon drought plan for California.

Status Update: no change since the last report.

H.R.499, Sustainable Water Infrastructure Investment Act of 2015

Introduced on January 22 by Congressman John Duncan (R-TN-2) with one (now 10) cosponsor. The bill was referred to the Ways and Means Committee. Amends the Internal Revenue Code to exempt from state volume caps tax-exempt facility bonds for sewage and water supply facilities

Status Update: one cosponsor added since the last report.

H.R.3038, Highway and Transportation Funding Act of 2015, Part II

Introduced on July 13 by Congressman Paul Ryan (R-WI-1) with one cosponsor. The bill passed the House and was placed on Senate Legislative Calendar. Directs the Secretary of Transportation to reduce the amount apportioned for a surface transportation program, project, or activity for FY2015 by amounts apportioned or allocated under the Highway and Transportation Funding Act of 2014 and the Highway and Transportation Funding Act of 2015 for the period from October 1, 2014, through July 31, 2015. TITLE I--SURFACE TRANSPORTATION PROGRAM EXTENSION Subtitle A--Federal-Aid Highways (Sec.1001) Amends the Highway and Transportation Funding Act of 2014 to continue from October 1, 2014, through December 18, 2015, and authorizes appropriations through that period for, specified federal-aid highway programs under: the Moving Ahead for Progress in the 21st Century Act (MAP-21) the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Technical Corrections Act of 2008, SAFETEA-LU, the Transportation Equity Act for the 21st Century (TEA-21), the National Highway System Designation Act of 1995, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), and other specified law. Subjects funding for FY2015, and for the period October 1, 2015, through December 18, 2015, for such programs to certain funding level restrictions. Amends MAP-21 to authorize appropriations out of the general fund of the Treasury for the Tribal High Priority Projects program for the same period. Prescribes an obligation ceiling of \$40.256 billion for FY2015, including \$8,689,136,612 for the period October 1, 2015, through December 18, 2015, for federal-aid highway and highway safety construction programs. (Sec. 1002) Authorizes appropriations from the HTF (other than the Mass Transit Account) for administrative expenses of the federal-aid highway program for the same period. Subtitle B--Extension of Highway Safety Programs (Sec. 1101) Extends for the same period the authorization of appropriations for National Highway Traffic Safety Administration (NHTSA) safety programs, including: highway safety research and development, national priority safety programs, the National Driver Register, the High Visibility Enforcement Program, and NHTSA administrative expenses. Amends SAFETEA-LU to extend for the same period high-visibility traffic safety law enforcement campaigns under the High Visibility Enforcement Program. Sets aside a specified amount of the total apportionment to states for highway safety programs for a cooperative program to research and evaluate priority highway safety countermeasures for the same period. (Sec. 1102) Extends for the same period the authorization of appropriations for Federal Motor Carrier Safety Administration (FMCSA)

programs, including: motor carrier safety grants, FMCSA administrative expenses, commercial driver's license program improvement grants, border enforcement grants, performance and registration information system management grants, commercial vehicle information systems and networks deployment grants, safety data improvement grants, a set-aside for high priority activities that improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations, a set-aside for new entrant motor carrier audit grants, FMCSA outreach and education, and the commercial motor vehicle operators grant program. (Sec. 1103) Amends the Dingell-Johnson Sport Fish Restoration Act to continue, for the same period, the authorized distribution of funds for coastal wetlands, recreational boating safety, projects under the Clean Vessel Act of 1992, boating infrastructure projects, and the National Outreach and Communications Program. Subtitle C--Public Transportation Programs (Sec. 1201) Extends for the same period the apportionment of non-urbanized (rural) area formula grants for competitive grants and formula grants for public transportation on Indian reservations. (Sec. 1202) Extends the apportionment of urbanized area formula grants for passenger ferry projects for the same period. (Sec. 1203) Extends for the same period the authorization of appropriations from the HTF Mass Transit Account for: formula grants for public transportation, including allocations for specified projects; research, development demonstration, and deployment projects; the transit cooperative research program; technical assistance and standards development grants; human resources and training grants; capital investment grants; and administrative expenses. (Sec. 1204) Allocates, for the same period, certain amounts to states and territories for formula bus and bus facilities grants. Subtitle D--Hazardous Materials (Sec. 1301) Authorizes appropriations for the same period for hazardous materials (hazmat) transportation safety projects. Authorizes the Secretary to make certain expenditures, including an amount for hazmat training grants, from the Hazardous Materials Emergency Preparedness Fund for the same period. TITLE II--REVENUE PROVISIONS (Sec. 2001) Amends the Internal Revenue Code to extend through December 31, 2015, the authority for expenditures from: (1) the Highway and Mass Transit Accounts of the Highway Trust Fund, (2) the Sport Fish Restoration and Boating Trust Fund, and (3) the Leaking Underground Storage Tank Trust Fund. (Sec. 2002) Appropriates additional funds to the Highway and Mass Transit Accounts of the Highway Trust Fund. (Sec. 2003) Requires tax information returns reporting mortgage interest received in a trade or business to include: (1) the outstanding principal on the mortgage, (2) the date of the origination of the mortgage, and (3) the address of the property which secures the mortgage. (Sec. 2004) Requires that: (1) the value of the basis in any property acquired from a decedent be consistent with the basis as determined for estate tax purposes; and (2) executors of estates disclose to the Internal Revenue Service and to persons acquiring any interest in the decedent's estate information identifying the value of each interest received. (Sec. 2005) Makes the six-year limitation on assessments of additional tax applicable to understatements of gross income due to an overstatement of unrecovered costs or other basis. (Sec. 2006) Changes tax return due dates for partnerships, S corporations, and C corporations. Extends the automatic extension for corporate income tax returns from three to six months. (Sec. 2007) Extends through 2025 the authority for transfers of excess pension assets of a defined benefit plan to a retiree health benefits account. (Sec. 2008) Equalizes excise tax rates for liquefied petroleum gas, liquefied natural gas, and compressed natural gas. TITLE III--ADDITIONAL PROVISIONS (Sec. 3001) Revises aviation security service passenger fee requirements. Requires the deposit into the Treasury as offsetting receipts the following sums collected to pay the costs of providing civil aviation security services to airline passengers: \$1.560 billion for FY2024, and \$1.6 billion for FY2025.

Status Update: no change since the last report.

H.R.3064, To authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes.

Introduced on July 6 by Congressman Chris Van Hollen (D-MD-8) with eight (now 12) cosponsors and referred to the Committees on Transportation and Infrastructure, Energy and Commerce, Ways and Means, Science, Space, and Technology, Natural Resources, Oversight and Government Reform, Budget, and Rules. Prescribes requirements for environmental reviews with respect to state and federal agency engagement, obstruction of navigation, historic sites, categorical exclusion of multimodal projects from environmental review, and creation in the Department of Transportation (DOT) of an Interagency Infrastructure Permitting Improvement Center. Directs DOT to establish a multimodal freight incentive grant program and a National Freight Infrastructure Program. Re-designates the Dwight D. Eisenhower System of Interstate and Defense Highways as the National Highway System and the National Freight Network. Requires the federal long-range transportation plan to include a transportation system resilience assessment. Prescribes criteria for high performing metropolitan planning organizations (MPOs) representing urbanized areas with populations of over 200,000. Removes the congestion management process from the transportation planning process for MPOs. Directs DOT to establish a pilot program for up to 10 MPOs to improve multimodal connectivity and increase connections for disadvantaged Americans and neighborhoods with limited transportation options. Revises requirements with respect to congestion mitigation and air quality improvement, including electric vehicle charging stations and commercial motor vehicle anti-idling facilities in rest areas along the Interstate System. Establishes in DOT: a discretionary TIGER Infrastructure Grant Program for various transportation projects; and a discretionary FAST Grant Program to reform the way surface transportation investments and decisions are made, implemented, and funded to achieve national transportation outcomes. Revises requirements for the funding of railroad rehabilitation and improvement financing, the state infrastructure bank program, toll roads, bridges, tunnels, and ferries. Establishes within DOT the position of Assistant Secretary for Innovative Finance. Reauthorizes the federal-aid highway and related programs through FY2021, including revised obligation limitation and apportionment requirements. Directs DOT to: establish a nationally significant federal lands and tribal projects program to fund construction, reconstruction, or rehabilitation of nationally significant federal lands and tribal transportation projects; carry out a broadband infrastructure deployment initiative; create a program to make critical and immediate improvements to infrastructure and highway safety; set-aside specified funds for states for highway safety data improvement activities on public roads; and create and maintain data sets and data analysis tools to assist MPOs, states, and the DOT in carrying out performance management analyses. Federal Public Transportation Act of 2015 Revises fixed guideway capital investment grants requirements. Authorizes grants to state and local governments for very small starts projects. Revises requirements for formula grants for enhanced mobility and for rural areas, workforce development programs, and the public transportation safety program. Requires recipients of transportation assistance to meet certain standards for hiring locally. Reauthorizes specified public transportation assistance programs through FY2021. Authorizes DOT to make competitive grants to state and local governmental entities for bus rapid transit projects. Authorizes appropriations for specified highway safety programs through FY2021, and revises related requirements. Revises criteria for state graduated driver licensing incentive grants. Adds a 24-7 sobriety program to criteria for state repeat offender and open container laws. Authorizes specified amounts of grant funds to states for distracted driving enforcement. Authorizes appropriations for specified motor vehicle safety programs through FY2021, and increases penalties for safety violations. Revises certain reporting requirements for tire manufacturers. Requires DOT to conduct a pilot grant program to evaluate the feasibility and effectiveness for a state process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration. Revises specified requirements for commercial motor vehicle and commercial driver safety. Requires disqualification to operate a

commercial motor vehicle for anyone who fails to pay an assessed civil penalty for a motor vehicle safety violation. Revises certain medical and registration requirements for commercial motor vehicle operators. Revises requirements for the Motor Carrier Safety Assistance Program. Directs DOT to administer a High Priority Program, an innovative technology deployment grant program, and a Commercial Motor Vehicle Operators Grant Program. Authorizes DOT to establish: a motor carrier safety facility working capital fund, and a financial assistance program for commercial driver's license program implementation. Directs DOT to maintain for the Federal Motor Carrier Safety Administration a motor carrier safety advisory committee. Revises requirements for the Unified Carrier Registration System plan. Repeals the authorization for self-insurance by motor carriers. Prescribes notice requirements relating to decisions that electronic logging devices fail to comply with standards. Authorizes DOT to issue regulations: governing contractors that exercise control over motor carrier operations; and requiring motor vehicle employers to track and compensate employees for on-duty, not-driving time. Authorizes DOT, with respect to unsafe conditions or practices in the transportation of hazardous materials (hazmat transportation), to order necessary: operational controls, restrictions, and prohibitions without prior notice or an opportunity for a hearing; and removal, remediation, or disposal of hazardous materials causing unreasonable risk of death, personal injury, or significant harm to the property or the environment. Authorizes DOT to collect reasonable fees for the administration of the special permits and approvals for deposit into a Hazardous Materials Approvals and Permits Fund. Revises requirements for planning and training grants under the Emergency Planning and Community Right-To-Know Act of 1986. Reauthorizes the program for regulating hazmat transportation through FY2021. Amends the Internal Revenue Code to extend through FY2023 specified highway-related taxes as well as requirements for expenditures from the Sport Fish Restoration and Boating Trust Fund. Replaces the Highway Trust Fund with a Transportation Trust Fund, and authorizes appropriations to it through FY2021. Directs DOT to establish and support a National Cooperative Freight Transportation Research Program and a Priority Multimodal Research Program. Revises the competitive selection process for the university transportation centers consortia program. Requires the Director of the Bureau of Transportation Statistics (BTS) to create data sets and data analysis tools for intermodal transportation data. Establishes in the BTS a National Transportation Library. Authorizes the BTS Director to establish a Port Performance Statistics Program to provide nationally consistent measures of performance of the nation's maritime ports. Revises requirements for the intelligent transportation system (ITS) program. Includes as an ITS program goal the development and deployment of automated vehicles in all modes of surface transportation. Prescribes requirements for the use of funds to develop ITS infrastructure, equipment, and systems. Rail for America Act Directs DOT to facilitate by financial assistance the establishment of a National High-Performance Rail System of integrated passenger and freight rail services, including a Current Passenger Rail Service Program and a Rail Service Improvement Program. Authorizes appropriations through FY2021 for the System and for the planning, development, construction, and implementation of rail corridors and related infrastructure improvements. Requires Amtrak to submit to the Secretary draft 5-year business line plans and draft 5-year capital asset plans. Authorizes DOT to establish Regional Rail Development Authorities, including a Regional Committee, to facilitate the development of multi-state high-performance rail services, and to coordinate these investments with other rail, transit, highway, and aviation system services. Prescribes requirements for the standardization of passenger equipment and level-entry boarding platforms. Directs DOT to: evaluate the shared-use of right-of-way by passenger and freight rail systems and the operational, institutional, and legal structures that would best support improvements to both of these systems; and conduct a nationwide disparity and availability study to establish the availability and utilization of small business concerns owned and controlled by socially and economically disadvantaged individuals in publicly funded railroad projects. Requires DOT to complete a National Rail Development Plan meeting certain criteria, and facilitate development of Regional Rail Development Plans. Authorizes DOT to prescribe

regulations or issue orders to require host railroads for joint operations that occur within a small geographic area to develop unified rules governing all operations within that area. Revises or prescribes requirements relating to positive train control, hours of service, maximum employee duty hours, safety appliances, locomotive inspections, noise emission standards, and damaged track inspection equipment. Authorizes federal agency heads to construct, install, operate, and maintain electric charging infrastructure for official agency vehicles. Stop Corporate Expatriation and Invest in America's Infrastructure Act of 2015 Amends the Internal Revenue Code to revise rules for the taxation of inverted corporations (i.e., U.S. corporations that acquire foreign companies to reincorporate in a foreign jurisdiction with income tax rates lower than the United States) to provide that a foreign corporation that acquires the properties of a U.S. corporation or partnership after May 8, 2014, shall be treated as an inverted corporation and thus subject to U.S. taxation if, after such acquisition: it holds more than 50% of the stock of the new entity (expanded affiliated group), or the management or control of the new entity occurs primarily within the United States and the new entity has significant domestic business activities.

Status Update: no change since the last report.

H.R.3104, To amend the Internal Revenue Code of 1986 to reduce carbon pollution in the United States, invest in the Nation's infrastructure, and cut taxes for working Americans.

Introduced on July 16 by Congressman John B. Larson (D-CT-1) with no cosponsors and referred to the Committee on Ways and Means and Foreign Affairs. Amends the Internal Revenue Code to impose an excise tax, beginning in calendar year 2016, on any taxable carbon substance sold by its manufacturer, producer, or importer. Defines "taxable carbon substance" as: (1) coal (including lignite and peat); (2) petroleum and any petroleum products; and (3) natural gas that is extracted, manufactured, or produced in the United States, or entered into the United States for consumption, use, or warehousing. Establishes in the Treasury the America's Energy Security Trust Fund to assist industries negatively affected by this Act, make transfers to the Highway Trust Fund to cover shortfalls, and provide payroll tax relief. Allows individual taxpayers a tax credit equal to carbon tax rebate amounts calculated by the Department of the Treasury. Directs Treasury to study and report to Congress on the best methods to assess and collect taxes on non-carbon greenhouse gases. Expresses the sense of Congress that the United States should establish binding agreements with major greenhouse gas emitting nations to reduce global greenhouse gas emissions

Status Update: no change since the last report.

S.1589, Building and Renewing Infrastructure for Development and Growth in Employment Act or the BRIDGE Act

Introduced on June 16 by Senator Mark Warner (D-VA) with ten (now 11) cosponsors and referred to the Committee on Finance. Establishes the Infrastructure Financing Authority (IFA) as a wholly-owned government corporation, headed by a Chief Executive Officer and managed by a Board of Directors, which shall provide direct loans and loan guarantees to facilitate the construction, consolidation, alteration, or repair of transportation, water, and energy infrastructure projects. Requires infrastructure projects assisted under this Act to have costs reasonably anticipated to equal or exceed \$50 million (\$10 million for rural infrastructure projects). Sets forth special requirements for infrastructure projects in rural areas. Establishes an Office of Technical and Rural Assistance to: provide technical assistance to state and local governments and parties in public-private partnerships in the development and financing of eligible, including rural, infrastructure projects; and establish a regional infrastructure accelerator demonstration program. Establishes an Office of Special Inspector General to conduct, supervise,

and coordinate audits and investigations of the business activities of IFA. Prohibits IFA financing of a project if: it is private or does not create a public benefit, or the loan applicant is unable to demonstrate a sufficient revenue stream. Sets forth terms for loans or loan guarantees for eligible infrastructure projects and for the repayment of such loans. Requires an annual independent audit of IFA finances. Requires the President, immediately after IFA approves financing for a proposed project, to convene a meeting of representatives of all permitting agencies to: establish a permitting timetable for the environmental review of a project, and coordinate with relevant state agencies and regional infrastructure development agencies in the review of such projects. Requires the Chief Executive Officer of IFA to: establish fees with respect to loans and loan guarantees that are sufficient to cover IFA's administrative costs; and take actions to make IFA a self-sustaining entity, with administrative and federal credit subsidy costs fully funded by fees and risk premiums on loans and loan guarantees. Amends the Internal Revenue Code to increase from \$15 billion to \$16 billion the aggregate amount of proceeds from tax-exempt facility bonds the Department of Transportation shall allocate among qualified highway or surface freight transfer facilities.

Status Update: no change since the last report.

S.1701, Infrastructure Rehabilitation Act of 2015

Introduced on June 25 by Senator Lisa Murkowski (R-AK) with no cosponsors. The bill was referred to the Committee on Environment and Public Works.

Status Update: no change since the last report.

S.1748, A bill to provide for improved investment in national transportation infrastructure.

Introduced on July 9 by Senator Patty Murray (D-WA) with four cosponsors and referred to the Committee on Commerce, Science, and Transportation.

Status Update: no change since the last report.

S.1680, National Multimodal Freight Policy and Investment Act

Introduced on June 25 by Senator Maria Cantwell with three cosponsors (now 4). The bill was referred to the Committee on Commerce, Science, and Transportation.

Status Update: no change since the last report.

H.R.3337, National Infrastructure Development Bank Act of 2015

Introduced on July 29 by Congresswoman Rosa DeLauro (D-CT-3) with seventy cosponsors (now 84). The bill was to the Committee on Energy and Commerce, Transportation and Infrastructure, Financial Services, and Ways and Means. Establishes the National Infrastructure Development Bank as a wholly owned government corporation. Makes the Bank's Board of Directors responsible for monitoring and overseeing energy, environmental, telecommunications, and transportation infrastructure projects. Authorizes the Board to: (1) make senior and subordinated direct loans and loan guarantees to assist in the financing or refinancing of 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. Requires the Board to establish an Executive Committee to establish requirements and make

recommendations for project proposals to be considered for financial assistance. Requires the Bank to establish a Risk Management Committee, which shall: (1) create financial, credit, and operational risk management guidelines for the Bank; (2) set guidelines to ensure diversification of lending activities by geographic region and infrastructure project type; (3) create conforming standards for all financial assistance provided by the Bank; (4) monitor financial, credit, and operational exposure of the Bank; (5) provide financial recommendations to the Board; and (6) ensure that the aggregate amount of interest subsidies provided for American Infrastructure Bonds in a given calendar year does not exceed 28% of interest payable under all such Bonds. Requires the Bank to establish an audit committee. Requires the Board to approve criteria established by the Executive Committee for determining project eligibility for financial assistance. Sets forth criteria to be considered by the Board for each type of infrastructure project. Requires the Executive Committee to 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. Requires any financial assistance for an infrastructure project to be repayable from dedicated revenue sources that also secure the infrastructure project obligations. Limits the amount of assistance under this Act to 50% of reasonably anticipated project costs. Exempts all bonds issued by the Bank from state or local government taxation. Sets forth requirements regarding compliance of assisted projects with wage rate, domestic content, and buy American statutes. Requires the Board to establish an American Infrastructure Bond program. Establishes in the Treasury the National Infrastructure Development Bank Trust Fund into which an amount estimated to equal the tax receipts attributable to interest payable under such Bonds is to be appropriated.

Status Update: no change since the last report.

H.R.3376, To authorize States to carry out bridge construction, maintenance, repair, and replacement projects using previously allocated surface transportation funds that are identified as being excess or inactive, and for other purposes.

Introduced on July 29 by Congresswoman Nita Lowey (D-NY-17) with no cosponsors. The bill was referred to the Transportation and Infrastructure Committee.

Status Update: no change since the last report.

H.R.3398, To improve the condition and performance of the national multimodal freight network, and for other purposes.

Introduced on July 29 by Congressman David Reichert (R-WA-8) with two cosponsors. The bill was referred to the Committee on Transportation and Infrastructure.

Status Update: no change since the last report.

S.1994, Tax Relief And Fix-The-Trust Fund For Infrastructure Certainty Act of 2015

Introduced on August 5 by Senator Thomas Carper (D-DE) with one cosponsor. The bill was referred to the Committee on Finance. This bill amends the Internal Revenue Code to phase in: (1) an increase of the excise tax rate on gasoline beginning in 2016 until such rate is 34.3 cents per gallon in calendar years beginning after 2018, and (2) a similar increase to 40.3 cents per gallon for diesel fuel and kerosene. The rates are to be adjusted for inflation for calendar years after 2019. The bill phases in increases in allocations of fuel excise tax amounts to the Mass Transit Account of the Highway Trust Fund for calendar years beginning in 2015. Such

increased allocations are to be adjusted for inflation for calendar years beginning after 2019. The bill makes permanent the increase in the refundable portion of the child tax credit and the increase in the earned income tax credit for families with three or more qualifying children. The earned income tax credit is also modified to: (1) allow an increase in such credit for individuals with no qualifying children, (2) revise tax credit eligibility rules for married individuals living apart and qualifying children claimed by another family member, and (3) repeal the denial of such credit for taxpayers with excess investment income.

Status Update: no change since the last report.

S.2008, Transportation, Access, and Opportunity Act of 2015

Introduced on August 6 by Senator Jeff Merkley (D-OR) with no cosponsors. The bill was referred to the Committee on Banking, Housing, and Urban Affairs.

Status Update: no change since the last report.

H.R.3465, Public-Private Partnership Infrastructure Investment Act

Introduced on September 9 by Congressman Sean Patrick Maloney (D-NY-18) with no cosponsors. The bill was referred to the Committee on Transportation and Infrastructure.

Status Update: no change since the last report.

H.R.3585, Surface Transportation Research and Development Act of 2015

Introduced on September 22 by Congresswoman Barbara Comstock (R-VA-10) with six (now 7) cosponsors. The bill was referred to the Subcommittee on Highways and Transit.

Status Update: on cosponsor added since the last report.

H.R.3756, WIFIA Improvement Act

Introduced on October 16 by Congressman Carlos Curbello (R-FL-26) with 17 (now 24) cosponsors. The bill was referred to the Subcommittee on Environment and the Economy. The bill amends the Water Infrastructure Finance and Innovation Act of 2014 to repeal provisions prohibiting any project receiving federal credit assistance under such Act from being financed from the proceeds of tax-exempt bonds.

Status Update: no change since the last report.

S.2247, SAFE Bridges Act of 2015

Introduced on November 5 by Senator Jeanne Shaheen (D-NH) with no cosponsors. The bill was referred to the Committee on Environment and Public Works. This bill directs the Department of Transportation to establish a program to assist states to rehabilitate or replace bridges found to be structurally deficient, functionally obsolete, or fracture critical. States shall use apportioned program funds for projects to rehabilitate and replace such bridges. The federal share of project costs is 100%

Status Update: no change since the last report.

H.R.4081, TIFIA 2.0 Act

Introduced on November 19 by Congressman Daniel Webster (R-FL-10) with no cosponsors and referred to the Subcommittee on Highways and Transit. The bill amends the Transportation Infrastructure Finance and Innovation Act (TIFIA) to revise the Department of Transportation (DOT) TIFIA program of direct loans, loan guarantees, and credit for surface transportation projects. A TIFIA Revolving Fund is established in the Treasury. A set-aside of up to 10% of Fund amounts is required for rural infrastructure projects (as similarly required in current funding law). The DOT is directed to transfer from the Fund to the general fund of the Treasury amounts equal to moneys deposited in the Fund as a result of the repayment of principal and interest on direct loans for transportation infrastructure projects before enactment of this Act. Project eligibility requirements are revised.

Status Update: no change since the last report.

H.R.4228, Transportation Megaprojects Accountability and Oversight Act of 2015

Introduced on December 10 by Congressman Mark DeSaulnier (D-CA-11) with one cosponsor and referred to the Committee on Transportation and Infrastructure.

Status Update: no change since the last report.