



CWCC

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

May 3, 2016

## SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE ESTABLISHES CLEAN WATER TRUST FUND AS PART OF WRDA REAUTHORIZATION BILL

The Senate Environment and Public Works Committee approved bi-partisan legislation last week that reauthorizes funding for the nation’s waterway, flood mitigation, dredging and Corps of Engineer projects. In addition to providing funding for the traditional waterway infrastructure projects, the Senate bill creates a Clean Water Trust Fund.

The \$11 billion measure, “The Water Resources Development Act of 2016”, funds 27 new Corps of Engineers projects, provides \$300 million in resources for local authorities to address lead in drinking water and authorizes various other infrastructure projects for flood control, environmental restoration, dredging, hurricane projects and other related uses. The WRDA bill establishes, for the first time, a dedicated Clean Water Trust Fund that will increase funding for Clean Water and Drinking Water State Revolving Funds through revenue collected from a voluntary labeling system for certain consumer products that rely on clean water for production. In addition, the proposal authorizes \$1.8 billion for the Clean Water Act’s sewer overflow control program to fund CSO and storm overflow projects.

A Senate floor vote on the WRDA bill is anticipated for early May. The House Transportation and Infrastructure Committee has held hearings on its version of the WRDA legislation and full House Committee markup is expected this month.

## COALITION WASHINGTON, D.C. FLY-IN AND RECEPTION FINAL REMINDER

Please note the arrangements for the Coalition’s Washington, D.C. events scheduled for Tuesday, May 10, 2016 and Wednesday, May 11, 2016. Below are the details concerning the Coalition’s meetings:

- 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

- Tuesday, May 10, 2016  
 Coalition Working Meeting  
 Hyatt Regency Washington on Capitol Hill  
 400 New Jersey Avenue, NW  
 8:00am – 9:30am  
 Yellowstone/Everglades  
 Room - 2nd floor
- Wednesday, May 11, 2016  
 Coalition Reception  
 Rayburn Building  
 Speaker Ward McCarragher  
 Democrat Chief Counsel  
 House Committee on Transportation And Infrastructure  
 12:00 Noon  
 HOB 2103

To reserve your room at the Hyatt Regency Washington on Capitol Hill, telephone 1 800-233-1234 and mention the TCC Fly-In Program.

**SANTE ESPOSITO NEW COMPANY NAME – KEY ADVOCATES  
MAY 2016 REPORT IS AVAILABLE**

Attached with this communication is the May 2016 Key Advocates (formerly Federal Advocates) report from Sante Esposito.

Below are the contact changes for Sante Esposito and Key Advocates.

Key Advocate's new phone number is: (202) 722-0167  
 Sante Esposito's new email address is: [sesposito@keyadvocates.com](mailto:sesposito@keyadvocates.com)  
 Sante Esposito's cell number remains the same  
 Office address remains the same



1701 Pennsylvania Avenue  
Suite 300  
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## *May 2016 Insights*

### **WRRDA Reauthorization**

On April 28, 2016 the Senate Environment and Public Works Committee marked up its version of the WRRDA 2014 authorization. Among other things, the legislation would:

Establish, for the first time, a Clean Water Trust Fund. The Fund would be initially funded by contributions from a voluntary labeling system. "A voluntary labeling system" is modeled after a bill introduced by Congressman Earl Blumenauer (D-OR-3), and which the Coalition has been very much involved, that would allow businesses to choose to place a small label on their products indicating their commitment to protecting America's clean water and contributing a certain amount, to be determined by the EPA, to the Water Infrastructure Trust Fund for each unit bearing the label. The Trust Fund revenue would then be distributed to the states as grants and loans through the Clean Water and the Drinking Water SRF's to help public water systems finance wastewater and drinking water infrastructure projects. Not as good as mandatory labeling but a step in the right direction. The House Dems approach is for traditional appropriations for the SRF's;

Require EPA to conduct a study on the potential role of low-income assistance programs to support full cost pricing for water and sewer rates;

Require EPA to update its 1997 affordability guidance.

Codify Integrated Planning into the CWA;

Codify the use of compliance schedules, when used in conjunction with an integrated plan, to achieve water quality standards into the CWA;

Direct EPA to further promote the use of green infrastructure;

Authorize \$1.8 billion for the CWA's sewer overflow control grant program to address CSO, SSO, and stormwater discharges. This is the first time Congress has ever authorized funds for this program;

Authorize, in the wake of Flint, \$300 million in new funding to reduce lead in drinking water;

Authorize \$50 million a year for innovative water technology grants including for water reuse/water recycling, and authorize an additional \$48 million for water desalinization programs; and,

Establish non-regulatory national drought resilience guidelines related to drought preparedness planning and investments.

Committee summary:

[http://www.epw.senate.gov/public/\\_cache/files/797e0d1b-abf5-4df7-869a-3836356cd3c6/wrda-2016-highlights.pdf](http://www.epw.senate.gov/public/_cache/files/797e0d1b-abf5-4df7-869a-3836356cd3c6/wrda-2016-highlights.pdf)

Bill section-by-section:

[http://www.epw.senate.gov/public/\\_cache/files/1f31185b-51bd-43e0-bde9-20bdc869cf4c/water-resources-development-act-of-2016-sec-by-sec-updated-4-25.pdf](http://www.epw.senate.gov/public/_cache/files/1f31185b-51bd-43e0-bde9-20bdc869cf4c/water-resources-development-act-of-2016-sec-by-sec-updated-4-25.pdf)

Bill text:

[http://www.epw.senate.gov/public/\\_cache/files/141a2eca-1a00-4392-a3f3-b69cc0cec872/edw16572.pdf](http://www.epw.senate.gov/public/_cache/files/141a2eca-1a00-4392-a3f3-b69cc0cec872/edw16572.pdf)

The latest goal in the House Transportation and Infrastructure Committee for markup of the reauthorization bill is May. Staff negotiations are ongoing. On April 15, H.R. 4954 was introduced with twenty-four cosponsors. The bill authorizes \$2B in FY17; \$3B in FY18; \$4B in FY19; \$5B in FY20; and \$6B in FY21 for the Clean water SRF. The Dems hope to merge the bill into the traditional Corps of Engineers WRDA bill

In a press release, Senator Barbara Boxer (D-CA), Ranking Democrat on the Committee, said the following:

**"The Water Resources Development Act of 2016 (WRDA) authorizes 25 critical Army Corps projects in 17 states.** These projects, which have undergone Congressional scrutiny and have completed reports of the Chief of Engineers, will strengthen our nation's infrastructure to protect lives and property, restore vital ecosystems to preserve our natural heritage, and maintain navigation routes for commerce and the movement of goods to keep us competitive in the global marketplace.

The bill provides critical investment in the country's aging drinking water and wastewater infrastructure, assists poor and disadvantaged communities in meeting public health standards under the Clean Water Act and Safe Drinking Water Act, and promotes innovative technologies to address drought and other critical water resource needs. The bill also responds to the drinking water crisis in Flint, Michigan, by providing emergency assistance to Flint and other similar communities across the country facing drinking water contamination."

### **FY17 Appropriations Bills In General**

Between now and July 15, the primary focus in Congress will be on passing the FY17 federal agency appropriations bills. The goal is to pass individual agency funding bills by the October 1 start of the new fiscal year. However, efforts in the House by tea party members to undermine last year's budget deal and reduce federal funding for FY17 could result in a government-wide Continuing Resolution (CR) until a Lame Duck session is convened after the November elections. Congress will not pass a budget resolution this year. The Senate has taken the position that they will not take action on a budget until the House passes one. The House will not pass one because the Freedom Caucus members (i.e, the tea party) oppose the budget because it sticks to the two-year budget agreement that was struck last year that provides for \$40B more in the

appropriations process this year as compared to last year. Action has begun in the appropriations process. The Transportation, Military Construction, Veterans Affairs, Agriculture, Legislative Branch and Energy and Water Appropriations Bills are already moving forward.

### **FY17 Clean Water and Safe Drinking Water SRF Funding**

Included in the President's FY17 Budget for the Clean Water SRF is \$979,500,000, a \$414,387,000 reduction from the FY16 level of \$1,393,887,000; \$1,020,500,000 for the Safe Drinking Water SRF, a \$157,267,000 increase from the FY16 level of \$863,233,000; and, for the WIFIA program, \$20M, of which \$15M is for direct loans and \$5M for administrative expenses. A letter signed by a number of Members was sent to the leadership of the House Committee on Appropriations calling upon the Committee to fund the Clean Water and Safe Drinking Water SRF's at \$2B each.

### **FY17 Transportation Appropriations Bill**

The Senate has marked up its version of the FY17 Transportation Appropriations Bill with the following highlights:

Highway (\$44B) and Transit (\$9.7B) Formula Funds - same as FAST Act authorized levels

FTA Capital Improvement Grants (New Starts/Small Starts/Core Capacity) - \$2.3B - vs \$2.177B in FY16

TIGER Grants - \$525M - vs \$500M in FY16

FAA Airport Improvement Program (AIP) - \$3.35B - same as FY16

Amtrak Northeast Corridor (NEC) Account - \$345M; Amtrak National Network

Account - \$1.07B - the FAST Act authorized \$474M and \$1.02B respectively

FAST Act Rail Discretionary programs - \$50M for consolidated rail infrastructure grants, \$20M for state of good repair grants, \$15M for restoration and

enhancement grants - none received funding in FY16 incorporated into the Senate WRDA bill.

### **Senate Drought Bill**

Of interest, especially to the Coalition's western states members is S. 2533, A bill to provide short-term water supplies to drought-stricken California and provide for long-term investments in drought resiliency throughout the Western United States, introduced on Feb. 10 by Senator Dianne Feinstein (D-CA). The House has already passed its version of a drought bill. It focuses on regulatory reform but provides no funding for drought related projects. The Feinstein bill was referred to the Energy and Natural Resources Committee. The bill authorize \$700 million in new grant funding for various water projects and creates a new water loan program, RIFIA, modeled after the highway TIFIA program, to support \$200M in loans for water projects. Per the latest from the Feinstein's staff, progress has been slow on reaching an agreement on a Senate bill. The problem is not only the Republicans who have expressed concerns about the level of additional new spending provided in the bill but also the Democrats who are struggling with its scope and duration. Feinstein staff said that they are still waiting on the Energy and Natural Resources Committee, the committee of jurisdiction. They indicated that key members of the Committee – Senators Cantwell, Barrasso, Wyden and Flake – continue working on a western wide approach.

## **FAST Act Implementation**

US DOT continues to expedite implementation of the five-year surface transportation FAST Act. A number of critical regulations, requests for comments, and grant notices have been released in recent weeks. Numerous webinars, summits, and industry briefings have been held. The Department has been particularly aggressive about issuing Notices of Funding Opportunities (NOFOs) for the various discretionary grant programs authorized in the bill, in large part out of a desire to be able to announce the FY'16 grant recipients prior to the November elections. FHWA, FTA and FRA have also established FAST Act websites that include fact sheets on the various provisions, FAQs and other materials. A number of the key announcements include:

National Highway Freight Program (NHFP) - guidance was issued on February 29 for this new state freight formula program. It outlines available funding, eligible projects, eligible project costs, federal share requirements, etc.

National Freight Strategic Plan (NFSP) - the draft NFSP was first released in October 2015 and US DOT plans to release a FAST Act-compliant final NFSP by July 2016. Comments on the draft must be submitted by April 25.

National Highway Freight Network - on March 25, FHWA published the National Highway Freight Network, including state maps and tables, as required by the FAST Act.

Transit State Safety Oversight, Public Transportation Agency Safety Plans, and National Public Transportation Safety Plan - FTA has issued a final rule on transit State Safety Oversight (SSO), a proposed rule on Agency Safety Plans and a notice of availability on National Safety Plans. All were first required by MAP-21 and then reauthorized in the FAST Act. Comments are due on both Plans by April 5.

## **FAST Act Funding Opportunities**

Program - Nationally Significant Freight and Highway Projects (NSFHP) - now called FASTLANE

Details - New freight discretionary competitive grant program to fund critical freight and highway projects, including projects of regional and national significance. A total of \$4.5B is authorized through FY'20. Up to \$500M over the life of the bill is available for eligible multimodal projects.

Applications Due - April 14

FY16 Funding - \$800M

Program - Surface Transportation System Funding Alternatives (STSFA) - Alternative Revenue Approaches

Details - The Act authorized a total of \$95M for this competitive grant program. This is a new program to test user based alternative revenue mechanisms, such as VMT and other road user charges, to help sustain the longterm solvency of the Highway Trust Fund. The federal match is 50%.

Applications Due - May 20

FY16 Funding - \$15M

Program - Advanced Transportation and Congestion Management Technologies Deployment Program (ATCMTD)

Details - New competitive grant program to fund cutting-edge transportation improvement technologies, such as ITS, advanced traveler information, vehicle to vehicle and vehicle to infrastructure technology, autonomous vehicles, electronic pricing and payment, etc.

Applications Due - June 3  
FY16 Funding - \$60M

Program - Bus and Bus Facility Discretionary Grant Program  
Details - New competitive grant program to finance capital projects to replace, rehabilitate, purchase or lease buses and related equipment and to rehabilitate, purchase, construct or lease bus-related facilities. There is also a Low or No Emission Bus Competitive Grant Program.  
Applications Due - May 13  
FY16 Funding - \$211M for the Bus and Bus Facility grants; \$55M for the LoNo grants

Program - Transportation Infrastructure Finance and Innovation Act (TIFIA)  
Details - TIFIA was reauthorized in the FAST Act, but funding was cut substantially. Mandatory unobligated funding redistribution was eliminated, project eligibility was expanded, and the application process was streamlined.  
Applications Due - rolling basis  
FY16 Funding - \$275M  
Comments Due on FAST Act Changes to TIFIA - April 11

Other Programs - TIGER VIII  
Details - TIGER was funded for an 8th round through the FY16 omnibus appropriations bill.  
Applications Due - April 29  
FY16 Funding - \$500M

## **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 49) 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: one cosponsor 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 11) 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: no change 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 19921, 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 19, 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, Transportation Infrastructure Grants and Economic Reinvestment Act**

Introduced on July 9 by Senator Patty Murray (D-WA) with four cosponsors and referred to the Committee on Commerce, Science, and Transportation. The bill directs the Department of Transportation (DOT) to establish a program under which DOT shall provide competitive grants of between \$10 million and \$200 million to the District of Columbia, to a state, Indian tribe, U.S. territory, local government, port authority, metropolitan planning organization, transit agency, or another political subdivision of a state or local government, or to two or more of such entities working in collaboration, for eligible transportation projects (including highway or bridge, public transportation, passenger or freight rail transportation, and port infrastructure or intermodal projects) that would have a significant beneficial impact on a state, metropolitan area, or region or the United States. DOT, in providing such grants, must: (1) ensure an equitable geographical distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and investment in a variety of transportation modes; and (2) give priority to eligible projects that require a contribution of federal funds to complete an overall financing package. The bill sets forth primary and secondary criteria for selecting eligible projects. The bill: (1) limits to 25% the amount of grant funds that may be provided to any state, (2) requires at least 20% of grant funds to be provided for eligible projects located in rural areas, and (3) allows up to 20% of the funds authorized to carry out this Act to be used to pay the subsidy and administrative costs of projects eligible for federal credit assistance under the Transportation Infrastructure Finance and Innovation Act upon determining that such use of funds would advance the purposes of this Act.

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 85). 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. The bill authorizes the Department of Transportation to permit states to carry out bridge projects using previously allocated funds that have been identified as being excess or inactive. The projects may include

operational improvements, capital and operating costs, environmental measures, and transportation control measures. The funds will remain available for three years after the year in which this bill is enacted.

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. This bill requires the senior procurement executive of the Department of Transportation to enhance the services of the Office of Contracts and Procurement by: (1) working with modal agencies, states, and other grant recipients on implementing design-bid-build, design-build, and public-private partnerships (P3) procurement best practices, including model contracts; and (2) developing suggested best practices to encourage standardizing state P3 authorities and practices, including fair and balanced assumptions made in the calculations, consistency on unsolicited bids, non-compete clauses, and other major elements

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. The bill requires a recipient of federal financial assistance under National Highway System provisions for a megaproject (a project that has an estimated total cost of \$2.5 billion or more and such other projects as may be identified by the Department of Transportation [DOT]), in order to be authorized for construction, to submit to DOT a comprehensive risk management plan that contains: a description of the process by which the recipient will identify, quantify, and monitor the risks

that might result in cost overruns, project delays, reduced construction quality, or reductions in benefits; examples of mechanisms the recipient will use to track such risks; a plan to control such risks; and

assurances that the recipient will regularly submit updated cost estimates and maintain and regularly reassess financial reserves for addressing risks. A recipient also must establish a peer review group to give expert advice on the scientific, technical, and project management aspects of the project. Each peer review group must: meet annually until the project is completed; review the project within 90 days after any significant change in its scope, schedule, or budget; and report on the findings of each review to DOT, Congress, and the recipient. Each recipient must publish such report on its website, along with the name, license number, and license type of each engineer supervising an aspect of the project.

Status Update: no change since the last report.

### **H.R.4468, Water Infrastructure Trust Fund Act of 2016**

Introduced on Feb. 4 by Congressman Earl Blumenauer (D-OR-3) with two cosponsors. The bill was referred to the Committees on Transportation and Infrastructure, Ways and Means, and Energy and Commerce. The bill was referred to the Committees on Transportation and Infrastructure, Ways and Means, and Energy and Commerce. This bill amends the Internal Revenue Code to establish in the Treasury a Water Infrastructure Investment Trust Fund and appropriates to it amounts equivalent to the fees received in the Treasury before January 1, 2022, under this Act. The bill requires 85% of amounts in the Fund to be available to the Environmental Protection Agency (EPA) for capitalization grants under the Federal Water Pollution Control Act (commonly known as the Clean Water Act or CWA) and 15% to be available for capitalization grants under the Safe Drinking Water Act. Amounts in the Fund may not be made available for a fiscal year unless the amount of funds appropriated to the Clean Water State Revolving Fund through annual capitalization grants is not less than the average of the annual amounts provided in capitalization grants under the CWA for the immediately preceding five-fiscal-year period. The Department of the Treasury shall: (1) implement a program under which it provides a label suitable for placement on products (for a fee of three cents per unit) to inform consumers that the manufacturer, producer, or importer of the product and other stakeholders participate in the Fund and are contributing to America's clean water; and (2) deposit amounts received in the Treasury. The EPA, with participation by the states, shall conduct a study to: (1) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water and drinking water systems; and (2) analyze options for programs to provide incentives for rate adjustments at the local level to achieve full cost or true value pricing for such services, while protecting low-income ratepayers from undue burden. Summary added since the last report.

### **H.R.4648, Green Stormwater Infrastructure Investment Act.**

Introduced on Feb 29 by Congressman Derek Kilmer (D-WA-6) with one cosponsor. The bill was referred to the Committee on Transportation and Infrastructure.