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June 11, 2015

THE U.S. HOUSE PASSES FISCAL 2016 ENERGY & WATER APPROPRIATION BILL WHILE U.S. SENATE APPROPRIATIONS COMMITTEE APPROVES ITS BILL

The U.S. House passed the Fiscal Year 2016 Energy and Water Development, and Related Agencies Appropriations bill. This appropriation measure provides annual funding for numerous infrastructure construction programs including the Army Corps of Engineers, navigation projects, Harbor Maintenance Trust Fund projects, energy projects, inland waterway projects and other similar programs.

The House appropriation bill provides \$35.4 billion for FY 2016, a \$1.2 billion increase above the FY 2015 enacted level. Prior to the full House vote, the House Appropriations Committee approved the measure that contained a decrease of funds for various Army Corps of Engineers construction projects, however, numerous House floor amendments restored most of the funding for these programs.

The U.S. Senate Committee on Appropriations approved its version of the FY 2016 Energy and Water Appropriations bill several weeks ago. The Senate Committee appropriations bill meets the \$35.4 billion funding level approved by the U.S. House. The Senate measure provides slight increases above the FY 2015 funding levels for the Army Corps of Engineer projects including Harbor Maintenance Trust Fund projects, Inland Waterway Trust Fund projects, and various flood, storm damage and dam projects. Other programs receiving slight increases include energy projects, environmental cleanup construction, and projects funded through the Bureau of Reclamation.

FEDERAL ADVOCATES JUNE 2015 REPORT

Attached with this communication is the June 2015 Federal Advocates report from Sante Esposito.

- AGC of America
- AGC of Texas
- Alabama 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
- Indiana Construction Association
- Long Island Contractors Association
- Maryland Transportation Builders & Materials Association
- Michigan Infrastructure & Transportation Association
- Minnesota Utility Contractors Association*
- National Rural Water 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

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June 2015 Insights

House FY16 Energy and Water Appropriations Bill

On April 22, the House Committee on Appropriations approved its version of the FY16 Energy and Water Appropriations Bill. To review, the FY16 budget request for the Civil Works program of the Corps of Engineers is \$4,732,000,000, a decrease of \$722,500,000 from FY15. After adjusting for the rescission of \$28,000,000 of prior-year appropriations in the FY15 Act, the budget request represents a reduction from FY15 of \$750,500,000 (14%). Each of the four main project-based accounts would see a sharp decrease under the budget request. The Construction account would see the largest dollar reduction (\$467,489,000) and largest percentage reduction (29%). The Investigations, Mississippi River and Tributaries, and Operation and Maintenance accounts are reduced by 20, 26, and 7 percent, respectively.

Senate FY16 Energy and Water Appropriations Bill

On May 21, the Senate Committee on Appropriations approved its version of the FY16 Energy and Water Development Appropriations Bill, a \$35.4 billion measure that represents a \$1.2 billion increase over the FY15 enacted level and \$668 million below the President's budget. Highlights are as follows:

Nuclear Security – \$12.3 billion, an \$856 million increase over FY15, for DOE nuclear weapons security programs, including Weapons Activities, Naval Reactors, and Defense Nuclear Nonproliferation. This includes \$8.9 billion for Weapons Activities, \$696 million above the FY15 enacted level, \$1.3 billion for Naval Reactors, \$66 million above the FY15 enacted level, and \$1.7 billion for Defense Nuclear Nonproliferation, \$89 million above the FY15 enacted level.

Army Corps of Engineers – \$5.5 billion, an increase of \$45 million above the FY15 enacted level and \$768 million above the President's budget request. The bill provides \$2.5 billion for navigation projects and studies, including \$1.254 billion in funding from the Harbor Maintenance Trust Fund and full use of estimated annual revenues from the Inland Waterways Trust Fund and \$1.4 billion to support flood and storm damage reduction activities, including \$310 million for the most critical dam safety improvements.

Bureau of Reclamation – \$1.1 billion, \$3 million above the FY15 enacted level and \$35 million above the President's request for the Department of the Interior and the Bureau of Reclamation.

Science Research – \$5.1 billion for science research, an increase of \$73 million above the FY15 enacted level, support basic energy research, development of high-performance computing systems, and research into the next generation of clean energy sources.

Environmental Cleanup – \$6.0 billion for DOE environmental management activities, \$167 million above the FY15 enacted level, including \$5.2 billion for Defense Environmental Cleanup to continue remediation of sites contaminated by previous nuclear weapons production. The bill also funds cleanup activities at other non-defense related nuclear sites.

Solving the Nuclear Waste Stalemate – The bill includes a pilot program for consolidated nuclear waste storage and language that allows DOE to store nuclear waste at private facilities.

Energy Programs – \$10.5 billion, an increase of \$270 million above the FY15 enacted level and \$1.1 billion below the President’s request. Within this total, the bill prioritizes and increases funding for energy programs that encourage U.S. economic competitiveness.

Energy Research and Development – \$610 million, an increase of \$39 million over the FY15 enacted level, for technologies to advance coal, natural gas, oil, and other fossil energy resources. In addition, the bill provides \$950 million, a \$116 million increase, for nuclear energy research, development, and demonstration activities.

International Thermonuclear Experimental Reactor (ITER) – The bill eliminates funding for the U.S. contribution to ITER, which is under construction in France, saving \$150 million.

Other policy items - The bill prohibits any changes to the definition of “fill material” and “discharge of fill material” for the purposes of the Clean Water Act.

FY16 Transportation Appropriations Bill

On May 1, the House passed its version of the FY16 Transportation Appropriations bill. The Senate has not yet released its bill. In a letter from the OMB to the House Appropriations Committee Chairman serious concerns were raised about locking in FY16 sequestration funding levels for DOT programs. OMB opposes the proposed House cuts in funding for TIGER, FTA Capital Investment Grants, and FAA's Facilities & Equipment program. The letter does not mention the cuts to Amtrak.

The letter also opposes a number of policy riders including strongly objecting to the House language that would prohibit the Surface Transportation Board (STB) from taking any action to approve subsequent phases of the California High-Speed Rail project. The letter does not mention whether OMB would recommend that the President veto the bill. Highlights of the House bill are as follows:

Highways – The bill provides over \$40.25 billion from the Highway Trust Fund to be spent on the Federal-aid Highways Program. This is equal to the fiscal year 2015 level. This funding is contingent on the enactment of new transportation authorization legislation, as the current authorization expires this year.

Air – Included in the legislation is \$15.9 billion in total budgetary resources for the Federal Aviation Administration (FAA) – \$159 million above the fiscal year 2015 enacted level and \$40 million above the request. This will provide full funding for all air traffic control personnel, including 14,500 air traffic controllers, 7,400 safety inspectors, and operational support personnel. The bill also funds FAA’s Next Generation Air Transportation Systems (NextGen) at \$931 million, and funds Contract Towers at \$154 million. These investments will help ease future congestion and help reduce delays for travelers in U.S. airspace. In addition, the bill rejects the Administration’s proposals for new passenger facility and general aviation fees.

Rail – The Federal Railroad Administration is funded at \$1.4 billion, a reduction of \$262 million below the fiscal year 2015 enacted level. This includes \$289 million for Amtrak operations – continuing service for all current routes – and \$850 million for capital grants. The bill also continues reforms to

ensure the best use of tax dollars, such as requiring overtime limits for Amtrak employees to reduce unnecessary costs, and prohibiting federal funding for routes where Amtrak offers a discount of 50% or more off normal, peak fares. No funding is provided for High-Speed Rail. In addition, rail safety and research programs are funded at \$226 million, equal to the fiscal year 2015 enacted level. This will fund inspectors and training to help ensure the safety of passengers and local communities. The bill also allows \$6.5 million in funding for a highway rail-grade crossing safety initiative.

Transit – The bill provides \$10.7 billion for the Federal Transit Administration (FTA) – \$161 million below the fiscal year 2015 enacted level. Transit formula grants total \$8.6 billion, which is consistent with the MAP-21 authorization legislation, to help local communities build, maintain, and ensure the safety of their mass transit systems. This funding is contingent on the enactment of new transportation authorization legislation, as the current authorization expires this year. Within this amount, the legislation provides a total of \$1.9 billion for Capital Investment Grants (“New Starts”), full funding for all current “Full Funding Grant Agreement” (FFGA) transit projects, and an additional \$250 million for projects that will enter a FFGA by the end of fiscal year 2016. Also included is \$40 million for core capacity projects, and full funding for all state and local “Small Starts” projects that will begin in fiscal year 2016. These programs provide competitive grant funding for major transit capital investments – including rapid rail, light rail, bus rapid transit, and commuter rail – that are planned and operated by local communities.

Maritime – The legislation includes \$361 million for the Maritime Administration, \$19.8 million above the fiscal year 2015 enacted level, to increase the productivity, efficiency and safety of the nation’s ports and intermodal water and land transportation. The Maritime Security Program is funded at the fully authorized level of \$186 million.

Safety – The legislation contains funding for the various transportation safety programs and agencies within the Department of Transportation. This includes \$837 million in total budgetary resources for the National Highway Traffic Safety Administration (NHTSA) – an increase of \$6.5 million over the fiscal year 2015 enacted level – and \$572 million for the Federal Motor Carrier Safety Administration. Also included is \$227 million for the Pipeline and Hazardous Materials Safety Administration, an increase of \$6.9 million over the fiscal year 2015 enacted level, to help address safety concerns including the transport of energy products.

Grants – The legislation funds National Infrastructure Investment grants (also known as TIGER grants) at \$100 million, \$400 million below the fiscal year 2015 enacted level and \$1.15 billion below the request.

House and Senate Interior Appropriations Bill

No action to date on the FY16 Interior Appropriations Bills (Clean and Safe Drinking Water SRF’s).

President’s FY16 Budget

Clean Water and Safe Drinking Water SRF’s: reduces the FY15 Clean Water SRF (\$1.448B) by \$332M to \$1.116B and increases the FY15 Safe Drinking Water SRF (\$906M) by \$280M to \$1.186B.

U.S. Army Corps of Engineers: increases \$171M from \$4.56B to \$4.73B, with funding primarily for aquatic ecosystem and inland navigation construction programs.

Department of Transportation: proposes a major increase in funding to \$478B, up from \$302B, and extends the length of the proposed reauthorization from four years to six years.

MAP-21 Reauthorization

On May 19 the House approved and on May 22 the Senate concurred in a bill to extend the MAP-21 highway and transit authorization through July 31, 2015. A number of House Members had threatened to vote against the bill as a protest of how Congress has been handling (or mishandling) the Highway Trust Fund (HTF) solvency crisis and in opposition to the continued use of short-term extensions.

Congress was forced to deal with the MAP-21 extension issue last week since they are on recess this week when MAP-21 officially expires on May 31. The options were either a mini-extension through the end of July that would not require any additional money since the HTF is estimated to remain solvent into August or a longer-term extension through the end of September or December 31.

Extending the bill through the end of the calendar year would require identifying an additional \$10B in revenues or program cuts which Congress appeared to be unable or reluctant to do. While a July deadline helps to keep the pressure on Congress to find a long-term funding solution, the chances of solving the HTF crisis within the next two months is very unlikely. Most likely, come July, Congress will once again have to extend the program. The primary hope for finding sufficient revenues to authorize a six-year program is as part of a comprehensive tax reform package. However, as of right now, it seems unlikely Congress will be able to pass such a controversial and complex bill this fall and potentially less likely in 2016, a presidential election year. On May 13, Senators Inhofe and Boxer, Chair and Ranking Democrat of the Environment and Public Works Committee, announced that the Committee is planning a June 24 markup of a bipartisan, six-year surface transportation reauthorization bill. On that and passage of the two-month extension, Inhofe said:

"We are quickly approaching a critical deadline for federal investment in our nation's roads and bridges. Without Congressional action by May 31, vital projects across the nation will come to a grinding halt. This is unacceptable, and we owe it to our nation's economy to send a strong signal that Congress is going to maintain the backbone of America's commerce and national security. While Congress continues to debate the funding mechanisms, we believe it is in the best interest that this committee moves forward with consideration of a long-term surface transportation reauthorization bill. This is why we are announcing that the EPW committee intends to mark up a six-year, bipartisan reauthorization bill in June. We can no longer wait on Congress. We look forward to finalizing negotiations with the big four, to include Sens. David Vitter and Tom Carper, and working with our members on a consensus bill in the tradition of this committee in the next few weeks."

Pending that, reauthorization hearings continue. On May 5, the Surface Transportation, & Merchant Marine Infrastructure, Safety, & Security Subcommittee of the Senate Commerce Committee held a hearing titled, "Surface Transportation Reauthorization: The Importance of a Long Term Reauthorization". The third in a series of hearings on the reauthorization of highway safety programs under the Committee's jurisdiction, the hearing focused on the importance of a long-term surface transportation reauthorization. Witnesses testified to the local and state impacts of national surface transportation policy and the need for a long-term reauthorization bill. The witnesses were Curt Bramble, President Elect of the National Council of State Legislatures and Senate President Pro Tempore of the Utah State Senate; Janet F. Kavinoky, Vice President, Americans for Transportation Mobility, U.S. Chamber of Commerce; Brian C. Wahler, Mayor of Piscataway, President of the New Jersey State League of Municipalities; and, Nick Yaksich, Vice President, Association of Equipment Manufacturers.

President's Transportation Bill (MAP-21 Reauthorization)

To review, on March 30, the Administration unveiled "The Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America Act," or GROW AMERICA Act, a \$478 billion, six year transportation reauthorization proposal that provides increased funding for the nation's highways, bridges, transit, and rail systems. The Administration's proposal is funded by supplementing current revenues from the

Highway Trust Fund in combination with a 14 percent transition tax on up to \$2 trillion of untaxed foreign earnings that U.S. companies have accumulated overseas. This is intended to prevent Trust Fund insolvency for six years and increase investments to meet national economic goals. Highlights of the proposal are:

\$317 billion for the highways. The proposal increases highway funds by an average of about 29 percent above FY 2015 enacted levels.

\$115 billion for transit. The proposal increases average transit spending by 76 percent above FY 2015 enacted levels.

Tools and resources for regional coordination and local decision-making. The proposal includes policy reforms to incentivize improved regional coordination by Metropolitan Planning Organizations (MPOs).

Tools for dangerous vehicle and tire defects. The proposal gives NHTSA the authority to issue imminent hazard orders requiring vehicle manufacturers to immediately take action to alleviate harm in cases where there is an imminent risk of injury or death.

\$18 billion for a multi-modal freight program. The proposal provides \$18 billion over six years to establish a new multimodal freight grant program.

\$28.6 billion for rail investments. The proposal includes \$28.6 billion over six years for high performance and passenger rail programs.

Competitive funding to spur innovation. The proposal provides \$7.5 billion over six years for the TIGER competitive grant program and \$6 billion for a new competitive grant program called Fixing and Accelerating Surface Transportation (or "FAST").

Project delivery and the Federal permitting and regulatory review process. The proposal builds on recent efforts to expedite project approval timelines.

Cost effective investments. The proposal provides performance incentives to maintain safety and conditions of good repair and expand research and technology activities.

\$6 billion to attract private investment in transportation infrastructure. The proposal provides \$6 billion in TIFIA funding over six years

FY16 Congressional Budget Resolution

On April 30 the House passed the FY16 Congressional Budget Resolution. The Senate passed it on May 5. Of interest are the following:

SEC. 4309. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN THE INFRASTRUCTURE IN AMERICA.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal investment in the infrastructure of the United States, including programs that expedite the deployment of broadband to rural areas by the amounts provided in such legislation for that purpose, provided that such legislation shall not include transfers from other trust funds but may include transfers from the general fund of the Treasury that are offset, provided further that such legislation

would not raise revenue and would not increase the deficit over either the period of the total of fiscal years 2016 through 2020 or the period of the total of fiscal years 2016 through 2025.

SEC. 4410. SPENDING-NEUTRAL RESERVE FUND RELATING TO PRIORITIZING THE CONSTRUCTION OF INFRASTRUCTURE PROJECTS THAT ARE OF NATIONAL AND REGIONAL SIGNIFICANCE AND PROJECTS IN HIGH PRIORITY CORRIDORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the prioritization of the Federal investment in the infrastructure of the United States on projects that are of national and regional significance and projects in high priority corridors of the National Highway System by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2016 through 2020 or the period of the total of fiscal years 2016 through 2025.

SEC. 4509. DEFICIT-NEUTRAL RESERVE FUND FOR TRANSPORTATION.

In the House of Representatives, the Chairman of the Committee on the Budget may revise the allocations, aggregates, and other budgetary levels in this concurrent resolution for any bill or joint resolution, or amendment thereto or conference report thereon, if such measure maintains the solvency of the Highway Trust Fund, but only if such measure would not increase the deficit over the period of fiscal years 2016 through 2025.

Transportation

The conference agreement provides essential funding for surface transportation, aviation, and safety, offset by reductions in transportation activities of lower priority to the Federal Government. Through deficit-neutral reserve funds, the agreement gives the committees of jurisdiction flexibility in future legislation involving the Highway Trust Fund. The fund is put on more sound financial footing and its solvency reinstated. The agreement provides \$72.1 billion in budget authority for fiscal year 2016 and \$87.2 billion in outlays. These amounts include \$30.1 billion in discretionary budget authority and \$86.1 billion in discretionary outlays, with direct spending of \$42.0 billion in budget authority and \$1.1 billion in outlays. Spending over the next 10 years totals \$665.6 billion in budget authority and \$748.7 billion in outlays.

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: seven additional cosponsors added 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; recharacterizes 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: four additional cosponsors added 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. **The bill passed the House on May 19.** 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 nonurbanized (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.

Status Update: bill added to tracking list 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 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.

Status Update: bill added to tracking list 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 39) 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: five additional cosponsors added 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 18) 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: fourteen additional cosponsors added 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.

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 12) 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: nine additional cosponsors added 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 28) 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: three additional cosponsors added 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 nonmotorized 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 29) 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: one additional cosponsor added 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 4) 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: three additional cosponsors added since the last report.