



CWCC

Clean Water Construction Coalition
P.O. Box 728 * Allenwood, NJ 08720
(732) 292-4300 * FAX: (732) 292-4310

ROBERT A. BRIANT, JR.
Chairman

July 11, 2017

THE TRUMP ADMINISTRATION CONTINUES TO TALK INFRASTRUCTURE

President Trump dedicated much of his time and public appearances to the topic of infrastructure during the week of June 5th. The week culminated in a major address on Friday held at the U.S. DOT headquarters that focused on streamlining and reforming the environmental regulatory process in order to expedite the delivery of infrastructure projects.

The overarching theme of the President's address was that the current environmental process is cumbersome, and often makes things worse by unnecessarily delaying and even blocking projects from getting built. In response, his administration will create several new government entities, such as a new permitting Council, an on-line project delivery dashboard, and a new permit reform office in the Council on Environmental Quality (CEQ). However, some industry observers were quick to point out that these entities generally already exist having been created by the Obama Administration and then authorized in statute in Title 41 of the FAST Act. Senators Rob Portman (R-OH) and Claire McCaskill (D-MO) sent a bi-partisan letter to the White House urging that the existing FAST Act provisions be implemented.

In addition to relaxing the regulatory framework, the President looked to accountability as a tool in his reform effort. Taking aim at Federal agencies and industry consultants, Trump stated that his administration will institute tough penalties on Federal government agencies that unnecessarily delay projects. He noted the role of consultants in the industry, claiming that they intentionally exploit the process to make it more complex. The President said, "So they make a very, very simple roadway a very complicated subject and they make it very much more expensive and they make it worse." He also said, "Most (referring to consultants) want to make a lot of money."

The Administration strategy is to lower the average permit time from 10 years to two years, leverage private sector capital and expertise, invest in rural infrastructure, and develop a workforce training initiative focused on skill-based apprenticeship education. While details are still scant, the President has also suggested the following funding:

- \$200B infrastructure funding

1. \$15B for transformative projects (it is not clear how "transformative" will be defined or if actual proper name projects will be identified by the Administration)
2. \$25B for rural infrastructure
3. \$100B for local prioritization of infrastructure needs (it is not clear what this money will be used for)
4. \$1M apprentices in 2 years

That leaves approximately \$60B out of the total of \$200B undefined. The \$200B in new direct federal funding over ten years will be used to leverage additional funding from the private sector, states, and local governments to total \$1T. A description of what types of projects (beyond transportation, water, and energy) would be eligible for this funding has not yet been provided. It is still unclear when the Administration will release a formal legislative proposal to Congress, although DOT Secretary Chao has said to expect something in the third quarter.

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

* Steering Committee Member

U.S SENATE DISCUSSES INFRASTRUCTURE INVESTMENTS

During a recent meeting with Coalition representatives, Senate Environment and Public Works Committee Minority Senior Staff Member John Kane said that the Committee Democrats are not inclined to support increased funding for the Clean Water SRF until they can ascertain why certain States aren't spending all of their SRF allocations. The Democrats have commissioned the General Accounting Office and the Environmental Protection Agency to assist in this effort. Regarding current infrastructure bill action in the Committee, Kane said that the Republicans are working on an infrastructure package but the Democrats have not seen any proposals yet. He also stated that the Democrats want to hold oversight hearings on the Clean Water and Safe Drinking Water SRFs to determine what, if anything, needs to be changed in the program.

HOUSE INFRASTRUCTURE EFFORTS

Coalition Representatives met with House Transportation and Infrastructure Republican senior staff Jon Pawlow and Victor Sarmiento of the Water Resources Subcommittee on June 29th. The Coalition expressed support for increased funding for Clean Water and Safe Drinking Water SRFs, reauthorization of the Clean Water Act and the other various policy issues supported by the Coalition. Pawlow and Sarmiento both said that it is difficult to increase funding for the SRFs given the current ban on earmarks and the requirement that you need "pay-fors" to offset any increases. Therefore, the likelihood of a separate bill on the issue is remote but stated that the situation may be different in the context of a mega infrastructure initiative where the rules may change/not apply. In that context, they would support the numbers being "bumped up." To date they indicated that they have not seen anything coalesce from the Administration on an infrastructure package. Regarding WIIN reauthorization, they are targeting July for a hearing on the Corps of Engineers, mid-fall for stakeholder meetings/hearings, and markup in the spring. They are operating on the assumption that the reauthorization product will be a simple Corps of Engineers only bill. Again, they indicated that could change depending on what happens regarding a mega infrastructure initiative.

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

The Coalition is also focusing on the efforts Congressman Earl Blumenauer (D-OR-3). The Congressman is on the House Ways and Means Committee that will play a key role in the funding of any mega infrastructure bill, and his bill, H.R. 1647, is cosponsored by Congressman John Duncan (R-TN-2), the senior Republican on the Transportation and Infrastructure Committee. On March 23, the Congressman introduced H.R. 1647, the Water Infrastructure Trust Fund Act of 2017, with the Coalition cited as one of the supporting entities. The bill establishes a Water Infrastructure Investment Trust Fund and appropriates to it amounts equivalent to the fees received in the Treasury before January 1, 2022, under this Act (approximately \$7B). No further developments at this time. In the Pawlow-Sarmiento meeting, the Coalition questioned why the voluntary labeling fee established under the Senate bill was not accepted in the WIIN Act by the House Conference members. Pawlow noted it was a combination of the time that was needed to resolve the basic Corps of Engineers issues and the desire on their part to keep it a pure WRDA bill.

Congressman McNerney plans to introduce his omnibus water bill during the week of July 10th with a rollout event in California. The Coalition has been told that there is another, more recent draft of the bill which we have not seen yet. The following points were included in the May draft:

- Reauthorizes CWSRF at \$2B FY18, \$2.4B FY19 - instead of \$100M increments over 5 years, they rolled all the money into 2 years
- At least 20% of CWSRF funds will go to green infrastructure projects
- Exempts bonds for water infrastructure projects in areas of drought or disaster from the private activity bond cap
- Establishes programs in DOE that focus on the nexus between energy and water
- Requires USGS to conduct annual consumptive water use audit
- Establishes an EPA water system mitigation and adaptation grant program to increase water systems' resilience to climate change: \$10M/year for FY 18-FY22, 50% Federal share
- Reauthorizes Safe Drinking Water Act at \$1.2B for FY18 and FY19
- Reauthorizes the Alternative Water Source Program

FEDERAL FISCAL YEAR 2018 APPROPRIATIONS OFF TO A SLOW START

Coalition representative, Key Advocates, met with both House and Senate Appropriations Committee officials. Congress is just starting to begin the process of passing a federal FY18 Budget Resolution, and drafting the funding bills, which must be completed by the start of the new fiscal year on October 1, 2017. With the current Congressional schedule, it will be difficult for Congress to meet that date and already many observers are assuming that yet again Congress will have to pass a short-term Continuing Resolution (CR) to keep the government funded. Some Members of Congress have even suggested that Congress pass a government-wide CR before they recess for the month of August and “get the pain out of the way early.” Complicating the situation, Congress will have to approve an increase in the debt ceiling this fall, which the Republican-majority Congress is very reluctant to have to do.

EARMARKS MAY RETURN

Key Advocates met with the House Rules Committee staff, who are now targeting the fall for consideration of the earmark issue. The House Freedom Caucus has expressed concerns about bringing earmarks back. Democrats, however, are supportive and the indications are that if the issue were brought up today an overwhelming majority of the House would approve. In the meeting, when asked about the future of earmarks given the current ban, staff said there is a lot of support for earmarks returning, and that without them it is difficult for Congress to govern. Staff noted that the House Leadership is concerned about the optics of overturning the earmark ban but, staff argued, Congress could do so for programs that operate on a project-by-project basis. They believe that with restrictions earmarks will inch. They referenced H. Res. 813, introduced by Congressman Thomas J. Rooney (R-FL-17) last Congress, which exempts Army Corps of Engineers projects from the current earmark ban. The resolution had 22 bipartisan cosponsors.

KEY ADVOCATES JULY REPORT

Included with this notice is Key Advocates July 2017 report.



1701 Pennsylvania Avenue
Suite 300
Washington, D.C. 20006
(202) 722-0167
www.keyadvocates.com

July 2017 Insights

DC Meetings

On June 29 Key Advocates met with the following: Teresa Frison, Esq. (and later by phone, with Patrick Arness, Legislative Director), Congressman Jerry McNerney (D-CA-9); John Kane, Minority Sr. Professional Staff Member, Senate Environment and Public Works Committee; Jon Pawlow, Majority Senior Counsel and Victor Sarmiento, Majority Staff Assistant, Subcommittee on Water Resources and Environment, House Committee on Transportation and Infrastructure; and, Joel Creswell, Ph. D., Legislative Assistant, Clean Water Caucus (Cong. Dan Lipinski, D-IL-3). The results of the meetings are incorporated herein

Administration's Infrastructure Initiative

During the week of June 5 President Trump dedicated much of his time and public appearances to the topic of infrastructure. The beginning of the week was focused primarily on aviation issues and the reform of the Air Traffic Control (ATC) system, ending on Friday with a major address held at DOT headquarters. The main focus of Friday's event was environmental streamlining and reforming the regulatory process in order to expedite the delivery of infrastructure projects. The President stood next to a flow chart showing the number of steps a highway project has to follow to get through the permitting process. The President made the following observations during his speech:

The current environmental process doesn't help and can often make things worse by unnecessarily delaying and even blocking projects from getting built. The President stated that "the excruciating wait time for permitting has inflicted enormous financial pain to cities and states and has blocked many important projects from ever getting off the ground." He also stated many regulations are redundant and duplicative and decision making should be returned back to state and local governments.

A number of new government entities will be created such as a new permitting Council, an on-line project delivery dashboard, as well as a new permit reform office in the Council on Environmental Quality (CEQ). However, industry observers were quick to point out that these entities generally already exist having been created by the Obama Administration and then authorized in statute in Title 41 of the FAST Act. Senators Rob Portman (R-OH) and Claire McCaskill (D-MO) sent a bi-partisan letter to the White House urging that the existing FAST Act provisions be implemented saying, "It is perplexing that the Administration has not taken full advantage of the powerful tools Congress gave it in the FAST Act to accomplish these goals."

Federal government agencies which unnecessarily delay projects will face tough, new penalties.

During a pre-meeting with state DOT directors, the MD DOT secretary described the \$29M (\$24,000 per page) environmental documentation which resulted in a 70lb EIS for an 18-mile road (the ICC). The President believes this documentation "could be replaced by a few simple pages."

The consultant industry often works to exploit the process to make it more complex so people have to hire them. The President said, "So they make a very, very simple roadway a very complicated subject and they make it very much more expensive and they make it worse." He also said, "Most (referring to consultants) want to make a lot of money."

Here are some additional materials about the Administration's infrastructure plan which were released last week:

3. Lower the average permit time from 10 years to two years
4. Unleash private sector capital and expertise to rebuild our cities and states
5. Invest in rural infrastructure
6. Reimagine America's approach to infrastructure with transformative projects
7. Work-force training initiative focused on skill-based apprenticeship education

The "By the Numbers" section states:

3. \$200B infrastructure funding
4. \$25B for rural infrastructure
5. \$15B for transformative projects (it is not clear how 'transformative' will be defined or if actual proper name projects will be identified by the Administration)
6. \$100B for local prioritization of infrastructure needs (it is not clear what this money will be used for)
7. 1M apprentices in 2 years
8. 8-year reduction in permit process time (from 10 years to two years)

That leaves approximately \$60B out of the total of \$200B undefined. The \$200B in new direct federal funding over ten years will be used to leverage additional funding from the private sector, states, and local governments to total \$1T. A description of what types of projects (beyond transportation, water and energy) would be eligible for this funding has not yet been provided by the Administration. It is still unclear when the Administration will release a formal legislative proposal to Congress to implement the President's campaign promise of a \$1T infrastructure plan, although DOT Secretary Chao has said to expect something in the third quarter.

Senate Infrastructure Initiative

In the John Kane meeting, following introduction of the Coalition and support for increased Clean Water SRF funding, he said that the Committee Democrats are not inclined to support increased funding for the SRF until they can figure out why certain states, not California, aren't spending all of their allocation. He cited two examples: NY which has not spent 2% because they argue that they need a cushion and Delaware which has not spent 23% for some reason. They want to find out why this is happening – what is the problem and what changes, if any, need to be made to the program. They have commissioned the General Accounting Office and the Environmental Protection Agency to assist in this effort. When asked, he said that they want to have this issue resolved in time for any mega infrastructure bill. Regarding current infrastructure bill action in the Committee, Kane said that the Republicans want to do a package but the Dems haven't seen anything yet. Committee legislative action is consistent with the announcement by

Senator John Barasso (R-WY), Chairman of the Environment and Public Works Committee, that the Committee is proceeding to develop its infrastructure proposal. Regarding any infrastructure bill, Kane said that the Dems want to do oversight hearings on the SRF (including the Safe Drinking SRF) to determine what, if anything, needs to be done to the program. Regarding the “gang of eight” Democratic Senators’ outline of a \$1T 10-year infrastructure plan (\$75 billion for schools, \$210 billion for roads and bridges, \$110 billion for aging water and sewer systems, \$180 billion for expanded rail and bus lines, \$70 billion for deeper ports and upgraded airports, \$100 billion for an updated electrical grid, \$10 billion for VA hospitals, \$20 billion for broadband installations; \$200 billion for unspecified “vital infrastructure projects” and \$10 billion for an infrastructure bank to “unlock” private capital by providing loan guarantees or low-cost loans), Kane was vague on where things stood, citing that the outline is the Dem’s position but that the Republicans “control the pen.” The implication being that the Dems are waiting on details from the Republicans before they “show their hand.”

House Infrastructure Initiatives

- In the Teresa Frison meeting and Patrick Arness phone conversation, we learned that Congressman McNerney’s plan is to introduce his omnibus water bill on July 11 with a rollout event in California on July 10. Also, we understand that there is another, more recent draft of the bill which we have not seen yet. The following relevant points are included in the last draft (May) we reviewed:

Reauthorizes CWSRF at \$2B FY18, \$2.4B FY19. Instead of \$100M increments over 5 years, they rolled all the money into 2 years.

At least 20% of CWSRF funds will go to green projects.

Exempts from the private activity bond cap, bonds for water infrastructure projects in areas of drought or disaster.

Establishes within DOE various programs focusing on the nexus between energy and water.

Requires USGS to conduct annual consumptive water use.

Establishes within EPA a water system mitigation and adaptation grant program, \$10M/year for FY 18-FY22, 50% Federal share. Grants to increase water systems’ resilience to climate change.

Reauthorizes Safe Drinking Water Act at \$1.2B for FY18 and FY19.

Reauthorizes the Alternative Water Source Program

Includes old Boxer language on Water Sense.

Includes storm water planning.

Includes Flint Michigan language.

- House Transportation and Infrastructure Republicans: In the June 29 meeting Jon Pawlow and Victor Sarmiento, the Water Resources Subcommittee staff, following introduction of the Coalition, its projects, and support for increased Clean Water SRF funding, said that it is difficult to increase funding for the SRF given the current ban on earmarks and the requirement that you need “pay-fors” to offset any increases. That being the case, the likelihood of a separate bill on the issue is remote. However, they said that the situation may be different in the context of a mega infrastructure initiative where the rules may change/not apply. In that context they would support the numbers being “bumped up.” Also, to date, they said that they have not seen anything coalesce from the Administration on an infrastructure package. Regarding WIIN reauthorization, they are targeting July for a hearing on the Corps of Engineers, mid-fall for stakeholder meetings/hearings, and markup in the spring. They are operating on the assumption that the reauthorization product will be a fairly simple Corps of Engineers only bill. However, they again indicated that could change depend on what happens regarding a mega infrastructure initiative.

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

- Congressman Earl Blumenauer (D-OR-3): Noted because the Congressman is on the Ways and Means Committee that will play a key role in the funding of any mega infrastructure bill, and because his bill is cosponsored by Congressman John Duncan (R-TN-2) who is the senior Republican on the Transportation and Infrastructure Committee. On March 23, the Congressman introduced H.R. 1647, the Water Infrastructure Trust Fund Act of 2017, with the Coalition cited as one of the supporting entities. The bill establishes a Water Infrastructure Investment Trust Fund and appropriates to it amounts equivalent to the fees received in the Treasury before January 1, 2022, under this Act (approximately \$7B). No further developments at this time. In the Pawlow-Sarmiento meeting, on WRWC’s question about why the voluntary labeling fee was not accepted in the WIIN Act, they said it was a combination of the time that was needed to resolve the basic Corps of Engineers issues and the desire on their part to keep it a pure WRDA bill.

- Congressman John Delaney (D-MD-6): H.R. 1669, “Partnership to Build America of 2017.” Noted because it has bipartisan support. Included under the Bill Tracking section. No further developments at this time.

FY18 Appropriations

Met with both House and Senate Appropriations Committees. Congress is just starting to begin the process of passing an FY18 Budget Resolution and drafting and passing the 12 federal agency FY18 funding bills which must be completed by the start of the new fiscal year on October 1. The congressional schedule is getting very tight to meet that date and already many observers are assuming that yet again Congress will have to pass a short-term Continuing Resolution (CR) to keep the government funded. Some Members of Congress have even suggested that Congress pass a government-wide CR before they recess for the month of August and "get the pain out of the way early." Complicating the situation, Congress will have to approve an increase in the debt ceiling this fall, which the Republican-majority Congress is very reluctant to have to do.

FY18 President's "Water" Budget

On May 23, the President submitted his FY18 Budget which includes:

Clean Water SRF: \$1,393,887M (+\$2.6M over the FY17 annualized CR level)

Safe Drinking Water SRF: \$863,233,000M (+\$1.6M over the FY17 annualized CR level)

WIFIA: \$20M

FY18 President's "Transportation" Budget

The programs that took the biggest hits in the Trump FY18 budget are those in the domestic discretionary program category with the deepest cuts proposed for environment, labor, agriculture, and foreign aid programs.

Mandatory programs, such as the highway (state apportionments, FASTLANE grants, etc.) and transit programs funded through the Highway Trust Fund as well as the Airport Improvement Program (AIP), are protected. **NOTE: for FY18, FASTLANE, \$900M; transit grants, \$9.73B; and AIP, \$3.35B).** In the transportation sector, the biggest cuts are proposed for those programs funded with general revenues such as Amtrak, FTA Capital Improvement Grants (CIG), and TIGER grants. CIG programs include New Starts, Small Starts and Core Capacity grants. The plan proposes to cut \$2.4B from DOT discretionary programs overall.

The budget proposes to limit CIG grants to only those projects with existing Full Funding Grant Agreements (FFGAs). Future investments in new transit projects would be funded "by the localities that use and benefit from these localized services". It proposes to eliminate funding for Amtrak's long distance trains (**note: for FY17, Congress rejected this and appropriated \$1.45B for Amtrak including funding for its long distance lines**). It eliminates funding for the TIGER discretionary grant program (**note: TIGER is funded at \$500M in FY17**). It supports legislation to authorize the highly controversial proposal to shift FAA's Air Traffic Control (ATC) function to the private sector.

Given past congressional action, the CIG and TIGER programs, in particular, and Amtrak to some degree, enjoy significant support in Congress from Members whose districts/states are recipients of these grants. Proposed cuts to critical transportation and other infrastructure programs also seem to be a significant disconnect with Trump's commitment for \$1T for infrastructure investment.

FY 17 Appropriations

On May 4, the Congress passed H.R. 244, the Consolidated Appropriations Act 2017 (P.L. 115-31) that included the following water and transportation funding:

Clean Water SRF - \$1,393,887, same as the FY16 level.

Safe Drinking Water SRF - \$863,233,000, same as the FY16 level.

WIFIA - \$10M, with prior funds, now authorized to loan up to \$3B for various infrastructure projects.

FHWA - the full FAST Act authorized level of \$43.26B for the highway program. This includes the FAST Act authorized level of \$850M for FASTLANE grants and full funding for TIFIA at \$275M.

FAA - the full authorized level of \$3.35B for the construction-related Airport Improvement Program (AIP).

FRA -\$1.45B total for Amtrak (versus the FY16 level of \$1.39B).

TIGER - the same level of \$500M as in FY16.

FTA - the full FAST Act authorized level of \$9.73B for transit formula grants, in addition to \$2.41B (versus \$2.17B in FY'16) for Capital Improvement Grants (CIG) - New Starts, Small Starts and Core Capacity Projects.

House Clean Water Caucus

Taking over for Jonathan Freye, with Congressman Lipinski, on the Clean Water Caucus is Joel Creswell, Ph.D. in environmental chemistry, who specializes in clean water. Last month the Caucus hosted a congressional field trip to the DC Water Blue Plains Wastewater Treatment Plant. Per the Caucus, they are planning a fall event on recycled water.

Earmarks

Met with the House Rules Committee staff. They are now targeting the fall for consideration of the earmark issue. The House Freedom Caucus has expressed concerns about bringing earmarks back. The Democrats, however, are supportive and the indications are that if the issue were brought up today an overwhelming majority of the House would approve. In the Senate, there was an earmark ban introduced by Senator Flake in the Senate Republican Caucus. It passed without discussion. Before Flake, there was no Senate ban because the House didn't have earmarks, so the Senate didn't do them by default. However, in the end, the Senate has always followed the lead of the House on earmarks. In the Pawlow-Sarmiento meeting, when asked about the future of earmarks given the current ban, staff said there is a lot of support for earmarks returning and that without them it is difficult for Congress to govern. Staff noted that the House Leadership is concerned about the optics of overturning the earmark ban but, staff argued, Congress could do so for programs that operate on a project-by-project basis. They believe that with restrictions earmarks will "inch back – what goes around, comes around." They referenced H. Res. 813, introduced by Congressman Thomas J. Rooney (R-FL-17) last Congress,

that exempts Corps of Engineers projects from the current earmark ban. The resolution had 22 bipartisan cosponsors.

Bill Tracking

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

H.R.434 — 115th Congress (2017-2018)

New WATER Act

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

Cosponsors: (5)

Committees: House - Natural Resources

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

This bill authorizes the Department of the Interior, for 15 years after this bill's enactment, to provide financial assistance, such as secured loans or loan guarantees, to entities that contract under federal reclamation law to carry out water projects within the 17 western states served by the Bureau of Reclamation, other states where the Bureau is authorized to provide project assistance, Alaska, and Hawaii. Projects eligible for assistance include: non-federal water infrastructure projects that would contribute to a safe, adequate water supply for domestic, agricultural, environmental, or municipal and industrial use; projects for enhanced energy efficiency in the operation of a water system; projects for accelerated repair and replacement of aging water distribution facilities; brackish or sea water desalination projects; and the acquisition of real property or an interest therein for water storage, reclaimed or recycled water, or wastewater that is integral to such a project. To be eligible for assistance, a project must be deemed creditworthy. Eligible project costs must be reasonably anticipated to be at least \$20 million. Interior shall establish criteria for project selection and may enter into a master credit agreement for projects secured by a common security pledge on terms acceptable to it. Interior may enter into agreements with obligors to make secured loans to finance or refinance eligible project costs or to refinance long-term project obligations or federal credit instruments to provide additional funding capacity for the completion, enhancement, or expansion of a project. The total amount of federal assistance for a project shall not exceed 80% of its total cost. Interior shall establish: (1) a repayment schedule for each secured loan based on the useful life of the project, and (2) a uniform system to service the federal credit instruments made available under this bill. Interior shall report biennially on the financial performance of the projects that receive assistance under this bill.

Status Update: no change since the last report.

H.R.23 — 115th Congress (2017-2018)

Gaining Responsibility on Water Act of 2017

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

Cosponsors: (13, now 14)

Committees: House - Natural Resources, Agriculture

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

Status Update: on cosponsor added change since the last report.

H.R.465 — 115th Congress (2017-2018)

Water Quality Improvement Act of 2017

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

Cosponsors: (1, now 6)

Committees: House - Transportation and Infrastructure

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

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

Status Update: no change since the last report.

H.R.100 — 115th Congress (2017-2018)

Support Local Transportation Act

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

Committees: House - Transportation and Infrastructure

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

Status Update: one cosponsor added since the last report.

H.R.547 — 115th Congress (2017-2018)

National Infrastructure Development Bank Act of 2017

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

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

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

This bill establishes the National Infrastructure Development Bank as a wholly owned government corporation. The bank's board of directors shall be responsible for monitoring and overseeing energy, environmental, telecommunications, and transportation infrastructure projects. The board is authorized to: (1) make loans and loan guarantees to assist in the financing an infrastructure project, (2) issue public benefit bonds and provide financing to infrastructure projects, and (3) pay an interest subsidy to the issuer of American Infrastructure Bonds. The bank shall establish a risk management committee, which shall: (1) create financial, credit, and operational risk management guidelines; (2) set guidelines to ensure diversification of lending activities by geographic region and infrastructure project

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

Status Update: no change since the last report.

H.R.481 — 115th Congress (2017-2018)

REBUILD Act

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

Committees: House - Natural Resources

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

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

Status Update: no change since the last report.

H.R.966 — 115th Congress (2017-2018)

TIGER CUBS Act

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

Committees: House - Appropriations, Budget

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

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

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

Status Update: no change since the last report.

S.846 — 115th Congress (2017-2018)

SAFE Bridges Act of 2017

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

Committees: Senate - Environment and Public Works

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

Status Update: no change since the last report.

H.R.1670 — 115th Congress (2017-2018)

Infrastructure 2.0 Act

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

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

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

Status Update: bill added since the last report.

H.R.1669 — 115th Congress (2017-2018)

Partnership to Build America Act of 2017

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

Committees: House - Transportation and Infrastructure, Ways and Means

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

Status Update: one cosponsor added since the last report.