



## Monthly Legislative Report – June 2021

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### June Advocacy Meetings

**Congressman Alan Lowenthal (D-CA)** – We met with Congressman Lowenthal’s senior staff to discuss [H.R. 3684](#) - INVEST in America Act and the timeline for markup and floor consideration. We also worked closely with staff to offer amendment language prior to floor consideration for tolling provisions in H.R. 3684 this month.

**Congressman Pete Aguilar (D-CA)** – We met with Congressman Aguilar and his senior staff to discuss FY22 appropriations, subcommittee markups, and the process for the consideration of Community Project Funding (earmark) requests. We reiterated the need for equitable formula funding and support for a long-term surface transportation reauthorization.

**Senator Dianne Feinstein (D-CA)** – We followed-up with Senator Feinstein’s staff on support for a long-term surface transportation reauthorization bill and robust funding for transit. We also discussed the timeline for FY22 appropriations in the Senate. We discussed possible FY22 budget levels in the Senate, and support for additional funding for transit.

**Congressman Lou Correa (D-CA)** – We followed-up with Congressman Correa and his staff to discuss support for additional funding tied to the COVID-19 pandemic to augment CARES Act relief funding. We separately followed-up on our funding requests (Transit Security & Operations Center- \$5M, and the Signal Synchronization Base Network \$5M). We discussed possible amendment language to H.R. 3684 that would benefit self-help counties.

**Congressman Mike Levin (D-CA)** – We followed-up with Congressman Levin’s staff to discuss FY22 appropriations. We also discussed support for transit funding, and an extension of the alternative fuel tax credit.

**Congresswoman Linda Sanchez (D-CA)** – We met with Congresswoman Sanchez and her staff to discuss FY22 appropriations and the timeline for committee markups. We discussed support for transit operations funding and additional emergency COVID-19 funding. We also discussed support for a long-term surface transportation reauthorization and funding mechanisms being considered by the House Ways and Means Committee in light of President Biden’s opposition to raising the federal gas tax.

**Congresswoman Grace Napolitano (D-CA)** – We followed-up with Congresswoman Napolitano’s staff this month to discuss support for additional emergency COVID-19 funding, and support for nationally significant passenger rail and goods movement

corridors. We also discussed the INVEST in America Act and opportunities to include amendment language prior to floor consideration.

**Congresswoman Young Kim (R-CA)** – We met with Congresswoman Kim and her senior staff to discuss local OCTA projects and support for a long-term surface transportation reauthorization bill with multi-year direct federal funding. We also discussed a support letter for OCTA’s SR-91 RAISE grant and followed up the INFRA grants that were recently announced.

**Congresswoman Katie Porter (D-CA)** – We followed-up with Congresswoman Porter’s senior staff to discuss the INVEST in America Act and FY22 appropriations. We discussed the need for additional transit formula funding, and support for additional emergency funding to support recovery from the pandemic as well as potential amendments to H.R. 3684 - INVEST in America Act.

**Congresswoman Michelle Steel (R-CA)** – We met with Congresswoman Steel and her staff this month to discuss the INVEST in America Act and support for a long-term surface transportation reauthorization. We also discussed funding opportunities for programs that would connect low-income customers facing food insecurity with transportation.

**Senator Alex Padilla (D-CA)** – We have been in contact with Senator Padilla’s senior transportation staff to discuss the FY22 appropriations process and the surface transportation reauthorization draft and markup in the Senate Environment and Public Works Committee. We also discussed the Senator’s new legislation titled the “High-Quality Transit Operating Support Program”, which would seek to create a new formula grant program to support the operating costs of public transportation and associated capital costs.

**House Appropriations: Transportation, Housing and Urban Development** – We were in regular contact with professional staff in the Majority and Minority regarding FY22 appropriations and opportunities to support increased funding for transit operations. We also discussed the markup timeline and the process for CPF requests during markup.

**House Transportation and Infrastructure Committee** – We followed-up with Chairman DeFazio and his senior staff multiple times this month to discuss the surface transportation reauthorization, markup process, and possible funding mechanisms for the INVEST in America Act. We discussed new opportunities for funding in that larger bill and the need to make changes to last year’s tolling provisions.

**Senate Banking, Housing, and Urban Affairs Committee** – We followed-up with professional staff to discuss progress on the Surface Transportation Reauthorization. We discussed funding for additional zero-emission buses and related infrastructure. We also discussed the timeline for a draft bill and opportunities to provide input during the drafting process.

**Congressman Sam Graves (R-MO)** – We met with Ranking Member Graves and his Committee staff this month to discuss the surface transportation reauthorization process. We discussed support for a long-term surface reauthorization and equitable formula funding. We also discussed the outlook for opportunities in conference negotiations with the Senate, and possible ‘pay-fors’.

**Senator Rodger Wicker (R-MS)** – We met with Senator Wicker’s Commerce, Science, and Transportation staff to discuss progress on their portion of the surface transportation reauthorization. We discussed opportunities to provide input and the timeline for floor consideration in the Senate.

## **Surface Transportation Reauthorization & Infrastructure**

### ***House Reauthorization***

The INVEST in America Act was approved by the House Transportation and Infrastructure (T&I) Committee in the early hours of Thursday, June 10<sup>th</sup>. The bill was approved by a vote of 38-26 with two Republicans joining the majority after a 19-hour markup (Rep. Brian Fitzpatrick and Rep. Jennifer Gonzalez-Colon). During the markup, Committee Republicans shared their disappointment on what they characterized as a partisan process. Chairman DeFazio held close to his manager’s amendment throughout the amendment process and underscored his objective to work out differences in Conference Committee. The full text of the bill and associated factsheets can be found [here](#).

Prior to floor consideration, the INVEST in America Act was packaged with several Committee-approved water/wastewater infrastructure bills including the Water Quality Protection and Job Creation Act of 2021 (H.R. 1915), as well as the Low-Income Water Customer Assistance Programs Act of 2021 (H.R. 3293) and Assistance, Quality, and Affordability (AQUA) Act of 2021 (H.R. 3291).

The House began floor consideration of the INVEST in America Act on June 30<sup>th</sup>, passing the bill on July 1<sup>st</sup> with a vote of 221-201. The Orange County Delegation voted along party lines, with Reps. Kim (R) and Steel (R) voting against passage. Reps. Lowenthal (D), Correa (D), Levin (D), Porter (D), and Sanchez (D) all voted in favor of passing the bill. An updated factsheet prepared by the House T&I Majority can be found [here](#). A revised text of the bill, as amended in the House, will be available [here](#).

During the House Rules Committee meeting to consider amendments to the bill, an amendment by Rep. Michelle Steel (R-CA) to prohibit funding for the CA High Speed Rail project was rejected. An amendment offered by [Rep. Lowenthal](#) (D-CA) to revise Sec. 1110 on tolling to clarify compliance and the definition of public authorities was included in *En Bloc Amendment #1*, which was passed by a vote of [217-186](#) (**Voted YES**: Lowenthal, Correa, Levin, Porter, Sanchez. **Voted NO**: Kim, Steel). A total of five En Bloc amendments were considered on the House floor before final passage, totaling over 149 amendments. A full list of amendments can be found at the end of this report.

Prior to floor vote, T&I Ranking Member Sam Graves (R-MO) spoke about Republican opposition to the bill, saying “this was a missed opportunity for bipartisanship”. His full remarks can be found [here](#).

The INVEST in America Act does not include new long term funding mechanisms for the Highway Trust Fund (HTF). Conversations with T&I staff indicate that funding mechanisms could be further discussed in conference committee negotiations with the Senate. House jurisdiction on how the HTF will be funded falls under the House Ways and Means Committee.

**Senate Reauthorization**

In the Senate, jurisdiction for the surface transportation is divided among three committees:

1. Highways, Bridges, Environmental Policy – Senate Environment and Public Works (EPW)
2. Mass Transit – Senate Banking, Housing, and Urban Affairs
3. Rail, Highway Safety, Maritime, TSA – Senate Commerce, Science, and Transportation

The jurisdiction for financing the legislation falls under the Senate Finance Committee. On May 18<sup>th</sup> the Senate Finance Committee held a hearing entitled “*Funding and Financing Options to Bolster American Infrastructure*”. During his opening statements, Chairman Ron Wyden (D-OR) said that he supports paying for surface transportation and infrastructure by “asking America’s largest corporations to pitch in their fair share” and rejecting the idea that the reauthorization should be paid for by user fees. Chairman Wyden signaled support for Build America Bonds. Ranking Member Crapo (R-ID) said that he believes the surface transportation reauthorization and the Highway Trust Fund should continue to be funded by user fees, while accounting for the increase in Electric Vehicles that do not pay the gas tax. Ranking Member Crapo also signaled his support for municipal bonds and raising the cap on Private Activity Bonds, and possibly repurposing the hundreds of billions of unused COVID-19 relief funds.

The Senate Commerce, Science, and Transportation Committee held a markup ([here](#)) of their portion of the surface transportation reauthorization on Wednesday, June 16<sup>th</sup>.

	INVEST Act (HOUSE T&I)	Senate	Building Bridges (8-year) (Problem Solvers Caucus)
Roads, Bridges, Safety	\$343 billion	\$303.5B (EPW)	\$518 billion
Transit	\$109 billion	TBD	\$155 billion
Passenger/Freight Rail	\$95 billion	\$78 billion (Commerce)	\$120 billion

President Biden, joined by several members of the bipartisan group of 21 bipartisan Senators, announced that a tentative agreement had been reached on the framework for an infrastructure package. The *Bipartisan Infrastructure Framework*, the result of nearly a month of negotiations, includes \$579 billion in new infrastructure spending (above the

current baseline), of which \$312 billion would be for transportation infrastructure, while \$266 billion is for other infrastructure areas such as water and broadband. Specific funding levels included in the bipartisan framework include the following:

Transportation Infrastructure	Other Infrastructure
\$110 billion for roads, bridges, and major projects	\$55 billion for water infrastructure
\$11 billion for pipeline and safety programs	\$66 billion for broadband infrastructure
\$49 billion for public transit	\$21 billion for environmental remediation
\$66 billion for passenger and freight rail	\$73 billion for electric infrastructure
\$7.5 billion for electric vehicle (EV) infrastructure	\$5 billion for Western Water Storage
\$7.5 billion for electric buses and transit	\$47 billion for resiliency programs
\$25 billion for airports	
\$16 billion for ports and waterways	
\$20 billion for infrastructure financing	
\$1 billion for reconnecting communities	
<b>Total: \$312 billion</b>	<b>Total: \$266 billion</b>

During debates over the pay-fors and financing mechanisms to cover the cost of the bill, Democrats had proposed corporate tax reforms while Republicans advocated for increased user fees and the repurposing of unused state/local relief funding included in the American Rescue Plan Act (ARPA). Ultimately, the bipartisan framework did not include any of the priorities that had been opposed by the other side throughout the negotiations. Instead, the framework unveiled outlines several potential pay-fors and financing mechanisms to offset the cost of the package not covered by the Highway Trust Fund (HTF), including:

- Repurposing unused 2020 COVID-19 relief funds for infrastructure needs
- Leveraging private sector investments through the use of public private partnerships (P3s), expanded use of Private Activity Bonds and asset recycling, as well as creating direct-pay municipal bonds to attract public infrastructure investments
- Reducing the Internal Revenue Service (IRS) tax gap
- Recouping unemployment insurance (UI) relief funds rejected by states
- Increasing UI program integrity
- Repurposing broadband funding from previously allocated bills
- Allowing states to sell and/or purchase toll credits to bring in new revenue or to apply credits to meet required state/local match requirements with an increase in the nonfederal share
- Proceeds from auctioning 5G spectrum
- Extending and adjusting expiring customs user
- Extending the mandatory sequester
- Selling the strategic petroleum reserve
- Projected economic benefits of the outlined infrastructure investments (*dynamic scoring*)

The agreement includes the Committee-approved titles of the Senate's transportation reauthorization bill, including the highway title approved by the Environment and Public Works (EPW) Committee, and the freight, rail, and safety titles approved by the Senate Commerce-Science-Transportation Committee. The framework also incorporates the Senate-passed Drinking Water and Wastewater Infrastructure Act (DWWIA). It remains unclear at this time whether House leadership would demand that any final infrastructure package include a compromise version of the transportation reauthorization and water infrastructure bills, based on negotiations with the Senate, or if they would simply accept the Senate versions.

### **Executive Branch Confirmations**

The Senate confirmed several of President Biden's executive nominees, including Radhika Fox as Assistant Administrator of the Environmental Protection Agency (EPA) by a vote of 55-43, John Tien as Deputy Secretary of Homeland Security by a vote of 60-34, and Tommy Beaudreau to be Deputy Secretary of the Interior by a vote of 88-9. Other executive nomination confirmations included the confirmation of Candace Jackson-Akiwumi as a U.S. Circuit Judge for the 7th Circuit by a vote of 53-40 and Kiran Arjandas Ahuja as Director of the Office of Personnel Management (OPM) by a vote of 51-50, with Vice President Kamala Harris casting the tiebreaking vote.

### **DOT: Pending and Approved Senate Confirmations**

#### **Confirmed:**

**Secretary** - Pete Buttigieg (2/21)

**Deputy Secretary** - Polly Trottenberg (4/21)

**Undersecretary of Transportation for Policy** - Carlos Monje (6/21)

**Administrator, Federal Aviation Administration** - Stephen M. Dickson (Termed Position, 7/19)

**Administrator, Federal Transit Administration** - Nuria Fernandez (6/21)

**Inspector General** - Eric J. Soskin (Holdover, 12/20)

#### **Awaiting Senate Confirmation:**

**Chief financial Officer and Assistant Secretary for Budget and Programs** - Victoria Wassmer

**Assistant Secretary for Aviation and International Affairs** - Carol A. "Annie" Petsonk

**Assistant Secretary for Governmental Affairs** - Mohsin Syed

**Assistant Secretary for Research and Technology** - Robert Hampshire

**Assistant Secretary for Transportation Policy** - Christopher Coes

**Administrator, Federal Motor Carrier Safety Administration** - Meera Joshi

**Administrator, Federal Railroad Administration** - Amit Bose

#### **No Nominee:**

General counsel

Administrator, Federal Highway Administration

Administrator, Maritime Administration

Administrator, National Highway Traffic Safety Administration

Administrator, Pipeline and Hazardous Materials Safety Administration

## **INVEST in America Act Amendments**

### ***Lamb (D-PA) En Bloc #1***

**Ross, Deborah (D-NC)** – Amendment No. 1 - Establishes a working group to make recommendations on the development, adoption, and integration of light and heavy duty electric vehicles into the transportation and energy systems of the United States

**Auchincloss (D-MA), Huffman (D-CA), Moulton (D-MA)** – Amendment No. 2 - Provides municipalities with the ability to create and expand new mobility options, including on-demand public transportation projects

**Barragán (D-CA)** – Amendment No. 3 - Establishes the Outdoor Recreation Legacy Partnership Program to provide grants to urban communities for the creation and renovation of urban parks

**Beyer (D-VA), Gallego (D-AZ)** – Amendment No. 4 - Adds the text of the Wildlife Corridors Conservation Act of 2021, which provides for the protection and restoration of certain native fish, wildlife, and plant species

**Doggett (D-TX), Lowenthal (D-CA)** – Amendment No. 25 - Ensures the representation of the Metropolitan Planning Organization's board is equitable and proportional to the population

**Fletcher (D-TX)** – Amendment No. 32 - Creates a local match credit for interrelated projects

**Jones, Mondaire (D-NY)** – Amendment No. 50 - Requires a GAO study on the economic benefits of one-seat ride commuter rail service between urban and suburban areas

**Kaptur (D-OH)** – Amendment No. 51 - Expresses the sense of congress on the importance of worker transition and developing a vision for the electric vehicle transition and the resulting worker disruptions for front line transit and transportation workers

**Krishnamoorthi (D-IL)** – Amendment No. 53 - Adds a Sense of Congress that whenever possible federally funded materials should be environmentally friendly

**Langevin (D-RI), Titus (D-NV)** – Amendment No. 55 - Requires the Department of Justice, in addition to the Secretary, to adopt the U.S. Access Board's Public Right-of-Way Accessibility Guidelines as enforceable standards

**Lawrence (D-MI), Speier (D-CA), Frankel (D-FL), Garcia, Sylvia (D-TX), Escobar (D-TX), Garcia, Jesús (D-IL)** – Amendment No. 56 - Offers provisions to promote a more diverse workforce and more inclusive work sites for infrastructure projects

**Levin, Andy (D-MI), Ocasio-Cortez (D-NY)** – Amendment No. 57 - Requires Dept. of Transportation to submit to Congress a report on the plans submitted by states on their intended use of the charging allocation funds under the subsection, including details on how this makes progress towards a national network of EV chargers

**Levin, Andy (D-MI), Ocasio-Cortez (D-NY)** – Amendment No. 58 - Amends eligible project considerations under Sec. 1303 Clean Corridors Program to include considerations for promoting efficient dwell times and amends Sec. 1303 Clean Corridors Program to include requirements for the provision of information on charging station placement through mapping applications

**Lowenthal (D-CA)** – Amendment No. 59 - Revises Sec. 1110 on tolling to clarify compliance and the definition of public authorities

**Lowenthal (D-CA)** – Amendment No. 60 - Allows states to request that the FMCSA update maintenance of effort requirements for Motor Carrier Safety Assistance Program

**McNerney (D-CA)** – Amendment 64 - Revises the Transportation Workforce Outreach Program to include veterans in their targeted effort to increase the number of diverse professionals in the transportation sector

**Moore (D-WI)** – Amendment No. 66 - Increases the percent set-aside for Low and Moderate Community Grant program within the Zero Emission Bus Grant Program from 10 percent to 15 percent

**Nadler (D-NY), Espaillat (D-NY)** – Amendment No. 68 - Allows high-performing local public agencies to utilize enhanced project delivery methods when appropriate

**Neguse (D-CO)** – Amendment No. 69 - Creates a Community Resilience and Restoration Fund and competitive grant program at the National Fish and Wildlife Foundation, and authorizes \$100 million per year for Fiscal Years 22-27 to the Fund

**Norcross (D-NJ)** – Amendment No. 71 - Requires all Electric Vehicle Supply Equipment (EVSE) projects funded directly through the Federal Government to be performed by qualified electricians with Electric Vehicle Infrastructure Training Program certification

**OcasioCortez (D-NY)** – Amendment No. 72 - Revises SEC. 1309(g) of the Active Connected Transportation grant program to direct the Secretary of Transportation to consider the extent to which a project would serve low income residents of economically disadvantaged communities when making grants

**OcasioCortez (D-NY), Williams (D-GA), Brown (D-MD)** – Amendment No. 73 - Adds an evaluation under the Reconnecting Neighborhoods Program that certain community impacts and equity analyses be measured, including: 1) the demographic breakdown of the impacted community by race and socioeconomic status; and 2) the displacement or



disconnection that occurred within the community as a result of the existing facility

**Pappas (D-NH)** – Amendment No. 75 - Prevents the enforcement of length limits on heavy-duty tow and recovery vehicles that are towing wrecked or disabled vehicles to the nearest appropriate facility as directed by an agency provided that the wrecked or disabled vehicle was in compliance with length limits when it became disabled or wrecked

**Plaskett (D-VI)** – Amendment No. 83 - Makes territories of the United States eligible for the National Scenic Byways Program

**Porter (D-CA)** – Amendment No. 84 - Directs the GAO to assess wildfire ignitions, suppression, and evacuation routes as part of its study on the public safety impacts of the US Forest Service's deferred maintenance backlog

**Rice, Kathleen (D-NY)** – Amendment No. 87 - Directs the Department of Transportation to issue a rule on its standards for seat back integrity to reduce the potential for injury to all motor vehicle occupants due to seat back failure during all types of vehicle impact

**Rice, Kathleen (D-NY)** – Amendment No. 88 - Directs the GAO to study the impact and effectiveness of drunk driving child endangerment laws and make recommendations as to how state laws can be improved to protect children from riding as passengers in vehicles driven by drunk drivers

**Sablan (D-MP)** – Amendment No. 90 - Requires a review of the Territorial Highway Program funds within Sec. 1606 (Highway Formula Modernization Report)

**Schrader (D-OR)** – Amendment No. 91 - Adds language to Sec. 1207 to increase bridge resiliency for seismic events

**Speier (D-CA)** – Amendment No. 93 - Revises the Section 5311 formula grant program for rural areas so that eligible public transportation operators may receive the funding more directly

**Stevens (D-MI), Dingell (D-MI), Lawrence (D-MI)** – Amendment No. 95 - Adds research and development on vehicle sensor data solutions to the Vehicular Data Analytics Pilot Program to combat wrong way driving

**Stevens (D-MI), Ross, Deborah (D-NC)** – Amendment No. 96 - Creates Resilient Transportation Infrastructure Centers of Excellence to improve the resilience of transportation infrastructure to natural disasters, extreme weather, and the effects of climate change

**Suoizzi (D-NY), Kuster (D-NH), Cicilline (D-RI), Torres, Ritchie (D-NY), Langevin (D-RI), Rice, Kathleen (D-NY), Zeldin (D-NY), Lynch (D-MA)** – Amendment No. 97 -

Establishes a North Atlantic Rail Interstate Compact

**Titus (D-NV), Moulton (D-MA)** – Amendment No. 99 - Amends the Railroad Rehabilitation and Improvement Financing program to add rail carriers engaged in high-speed rail activities under the eligible entities for credit risk premium subsidy payments

**Torres, Norma (D-CA)** – Amendment No. 101 - Requires Department of Transportation to use updated research on setting speed limits and requires the Department to conduct further research into speed limit setting best practices

**Torres, Norma (D-CA)** – Amendment No. 102 - Raises authorization level of the Transportation Equity Research Program to \$8,000,000 and gives DOT flexibility to conduct research

**Torres, Norma (D-CA)** – Amendment No. 103 - Raises authorization level of the Regional Infrastructure Accelerator Program and incentivizes improving air quality

**Torres, Ritchie (D-NY), Williams (D-GA), Omar (D-MN), Escobar (D-TX), Peters (D-CA)** – Amendment No. 105 -Clarifies that projects to deck over a limited access highway are eligible for funding under the Reconnecting Neighborhoods Program

**Torres, Ritchie (D-NY), Pressley (D-MA)** – Amendment No. 106 - Establishes a GAO study to be conducted 3 years after enactment to review how the installation of electric vehicle charging stations in communities disproportionately impacted by air pollution and high rates of asthma would improve health outcomes

**Velázquez (D-NY)** – Amendment No. 109 - Revises the Climate Resilient Transportation Infrastructure Study to guarantee that residents of public housing and of other HUD-designated affordable housing programs are considered and benefit from resilient infrastructure investments. Further revises the study to consider the needs of and create opportunities for individuals registered with a one-stop career center in the climate resilient workforce

**Velázquez (D-NY)** – Amendment No. 110 - Requires the GAO Study under Section 2505 to include expected cost savings for law enforcement and transit agencies resulting from fare-free transit

**Velázquez (D-NY)** – Amendment No. 111 - Specifies that tree planting is an eligible project activity under Section 1206

Y 217

N 186

## ***En Bloc #2***

**Beyer (D-VA), Wittman (R-VA)** – Amendment No. 5 - Gives the Secretary of Transportation the authority to reset the interest rates on select and existing TIFIA loans

**Calvert (R-CA), Takano (D-CA)** – Amendment No. 9 - Authorizes the Western Riverside County Wildlife Refuge

**Carter, Troy (D-LA), Fitzpatrick (R-PA), Cohen (D-TN), Titus (D-NV), Katko (R-NY), Buchanan (R-FL), Carter, Buddy (R-GA), Barr (R-KY), Tonko (D-NY), Payne, Jr. (D-NJ), Schakowsky (D-IL), Nadler (D-NY), Reschenthaler (R-PA)** – Amendment No. 15 - Bans the transportation of equines for the purposes of slaughter for human consumption

**Fitzpatrick (R-PA)** – Amendment No. 31 - Requires a GAO Study on the apportionment of liability among Amtrak and the various Northeast Corridor commuter rail agencies. The Study will provide recommendations to the Northeast Corridor Commission, the Transportation and Infrastructure Committee and the Senate Commerce Committee

**Garamendi (D-CA), Burchett (R-TN)** – Amendment No. 34 - Makes safety trainings for trailers on passenger vehicles eligible for grants under NHTSA's Highway Safety Programs

**Graves, Garret (R-LA)** – Amendment No. 43 - Requires the Federal Highway Administration (FHWA) Administrator to issue or update guidance and best practices related to the resiliency of materials, taking into consideration the effect of dynamic changes on maintenance cycles for roadways, including as a result of weather based factors

**Kilmer (D-WA), McMorris Rodgers (R-WA), DelBene (D-WA), Bonamici (D-OR), Huffman (D-CA), Jayapal (D-WA), Larsen, Rick (D-WA), Newhouse (R-WA), Schrader (D-OR), Smith, Adam (D-WA), Strickland (D-WA), Simpson (R-ID), Herrera Beutler (R-WA), Blumenauer (D-OR), Schrier (D-WA)** – Amendment No. 52 - Establishes a new grant program under the Department of Transportation for culvert restoration projects to support anadromous fish passage and recovery

**Lynch (D-MA), Balderson (R-OH), Auchincloss (D-MA), Pappas (D-NH)** – Amendment No. 61 - Ensures that federal funding through the T.I.F.I.A. program is protected by adequate payment and performance security

**Mace (R-SC), Graves, Garret (R-LA)** – Amendment No. 62 - Establishes a GAO study regarding Highway Trust Fund Expenditures which also enables examination of Mass Transit Account and the Highway account

**McMorris Rodgers (R-WA), Newhouse (R-WA), Schrier (D-WA)** – Amendment No.

63 - Specifies that securing areas at risk of flooding, rockslides or mudslides following a wildfire qualifies as a "protective feature" for resiliency funding

**Meuser (R-PA)** – Amendment No. 65 - Increases the federal share for projects in areas of persistent poverty

**O'Halleran (D-AZ), Westerman (R-AR)** – Amendment No. 74 - Increases the tribal transportation program safety set aside from 2% to 4%

**Pence (R-IN), Cuellar (D-TX)** – Amendment No. 76 - Inserts the text of the Rural Opportunities to Use Transportation for Economic Success (ROUTES) Initiative, which recognizes the infrastructure needs of rural communities by providing technical assistance to help these communities efficiently apply for competitive federal grant programs

**Rice, Kathleen (D-NY), Balderson (R-OH)** – Amendment No. 86 - Authorizes a competitive grant program for states to educate the public on the dangers of drug-impaired driving

**Steil (R-WI), Auchincloss (D-MA), Houlahan (D-PA)** – Amendment No. 94 - Directs the GAO to study and report to Congress the vulnerabilities that the United States transportation system has from ransomware and other cybersecurity threats

**Tonko (D-NY), McKinley (R-WV), McGovern (D-MA)** – Amendment No. 100 - Addresses the expiring authorization for 32 National Heritage Areas before the end of Fiscal Year 2021 with a one-year authorization extension and a one-year extension of the management plan deadline for the 6 new National Heritage Areas created through enactment of the John D. Dingell, Jr. Conservation, Management, and Recreation Act

**Walberg (R-MI), Burgess (R-TX)** – Amendment No. 112 - Adds "mode of transportation" under use of grant funds for collection on traffic stops under Section 3005 Grant Program to Prohibit Racial Profiling. Including mode of transportation data on stops made by law enforcement will provide more robust information for analysis on traffic stops

**McKinley (R-WV), Walberg (R-MI)** – Amendment No. 114 - Prohibits the Secretary of Transportation from issuing a rule or long-term order that would prohibit the transportation of captured carbon dioxide

**Crenshaw (R-TX)** – Amendment No. 119 - Includes unincorporated areas into the definition of eligible entity for low-income drinking water assistance program

**Delgado (D-NY), Fitzpatrick (R-PA), Pappas (D-NH)** – Amendment No. 121 - Requires an industrial entity that introduces perfluoroalkyl or polyfluoroalkyl substances into wastewater treatment systems to provide specified advance notices to such systems, including the identity and quantity of such PFAS

**Pappas (D-NH), Delgado (D-NY), Kildee (D-MI), Fitzpatrick (R-PA), Ross, Deborah (D-NC), Dean (D-PA), Dingell (D-MI), Gallagher (R-WI), Stevens (D-MI)** – Amendment No. 143 - Sets deadlines for EPA to issue Clean Water Act Water Quality Criteria and Effluent Limitations Guidelines and Standards for measurable PFAS and authorizes \$200 million a year for grants to publicly owned treatment works to implement effluent limitations guidelines and standards

### **Adopted By Voice Vote**

#### ***DeFazio (D-OR) En Bloc #3***

**Brady (R-TX)** – Amendment No. 6 - Revises the Railroad Rehabilitation and Improvement Financing program to add new conditions of assistance for loans and loan guarantees issued through the program

**Budd (R-NC)** – Amendment No. 8 - Codifies a Trump Administration policy that does not consider DOT loans as part of the required local share for certain FTA grants

**Crawford (R-AR), Cheney (R-WY), Graves, Garret (R-LA), Rouzer (R-NC)** – Amendment No. 21 - Strikes Section 1201's requirements that states prioritize state of good repair needs over constructing new highway capacity

**Gibbs (R-OH)** – Amendment No. 40 - Prohibits using transit funds for art, non-functional landscaping, and sculptures – or for paying the cost of including an artist on the design team. Allows excess transit funding to be directed toward improving our highway systems

**Gimenez (R-FL)** – Amendment No. 41 - Strikes the section that prohibits funds for any service considered a taxi service that operates under an exemption from testing requirements under 5331

**Jackson, Ronny (R-TX)** – Amendment No. 45 - Strikes section 9101 (Authorization of Appropriations)

**Perry (R-PA)** – Amendment No. 77 - Strikes section 1303, which establishes a clean corridors program to provide formula funding for EV charging and hydrogen fueling infrastructure

**Perry (R-PA)** – Amendment No. 78 - Prohibits the provision of loans or loan guarantees for high speed rail projects not in compliance with FRA tier III safety standards

**Perry (R-PA)** – Amendment No. 79 - Strikes a carbon pollution reduction program and its apportionment

**Perry (R-PA)** – Amendment No. 80 - Prohibits the use of funds for Amtrak Network Expansion

**Perry (R-PA)** – Amendment No. 81 - Strikes the Capital Investment Grant Program

**Perry (R-PA)** – Amendment No. 82 - Strike Section 1602, entitled "Speed Limits."

**Tiffany, Thomas (R-WI)** – Amendment No. 98 - Stipulates that no funds made available from the Highway Trust Fund may be expended for any purpose other than road and bridge construction

**Van Duyne (R-TX)** – Amendment No. 107 - Prohibits federal funds from going to any state permitting costs above that federal standard

**Curtis (R-UT)** – Amendment No. 120 - Prevents the EPA from providing payments if they will impair the financial wellbeing of a public water system to function, including to manage drought conditions. Additionally, it prevents the bar on collections and water user subsidies from taking effect until a report is sent to Congress ensuring proper accounting of all funds used for this purpose

**Duncan (R-SC)** – Amendment No. 122 - Strikes from the bill the "Low-Income Drinking Water Assistance Program" with the exception of a needs assessment to be conducted by GAO

**Hudson (R-NC)** – Amendment No. 125 - Amends the Priority for Funding subsection for the program to give priority to community water systems that are affected by the presence of the chemical GenX. Emphasizes the presence of GenX in community water systems, in 1459E

**McKinley (R-WV)** – Amendment No. 134 - Strikes sections 13201 and 13205 of the bill, so that the cost-benefit requirement and small systems variance remain in the Safe Drinking Water Act

**McMorris Rodgers (R-WA), McKinley (R-WV)** – Amendment No. 135 - Strikes Division I and replaces it with extensions of existing drinking water programs

**Rejected**

Y **180**

N **226**

#### ***DeFazio (D-OR) En Bloc #4***

**Brownley (D-CA)** – Amendment No. 7 - Creates a Climate-Safe Infrastructure Working Group to examine how to integrate scientific data regarding the projected impacts and risks of climate change into infrastructure planning, design, engineering, construction, operation, and maintenance that is funded by the Federal Government

**Carbajal (D-CA), Panetta (D-CA), Peters (D-CA)** – Amendment No. 11 - Establishes a federal grant program for state departments of transportation to carry out pollinator-friendly practices on roadsides and highway rights-of-way

**Carbajal (D-CA)** – Amendment No. 12 - Amends Section 3003 to have the national center of excellence for fair and equitable traffic safety enforcement to also collect data on pedestrian and bicyclist stops

**Carbajal (D-CA)** – Amendment No. 13 - Requires a GAO report to Congress, within one year of enactment, on access to nonemergency transportation for disadvantaged populations in general and includes specific information on how to make it easier for such individuals to use non-emergency medical transportation services and how to make it easier for recipients of grants to coordinate non-emergency medical transportation services for such individuals

**Carbajal (D-CA)** – Amendment No. 14 - Allows states to use funds to collect and include data of people stopped bicycling and walking

**Castor (D-FL)** – Amendment No. 16 - Expands the Congestion Mitigation and Air Quality Improvement (CMAQ) program to allow funding to be used to offset the incremental cost of zero-emission medium and heavy-duty vehicles, related zero emission operations equipment, battery electric charging or fuel cell electric refueling infrastructure, and related infrastructure investments

**Castor (D-FL)** - Amendment No. 17 - Integrates hyperlocal air quality monitoring into the Congestion Mitigation and Air Quality Improvement (CMAQ) program to enhance and improve data gathering on air pollution, especially in environmental justice communities

**Castro (D-TX)** – Amendment No. 18 - Requires the Secretary of Transportation to submit to Congress a report on the disadvantaged business enterprises program carried out by the Department of Transportation

**Cicilline (D-RI)** – Amendment No. 19 - Increases annual funding for the National Scenic Byways Program by authorizing \$39 million from the General Fund for each of fiscal years 2023 through 2026

**Costa (D-CA)** – Amendment No. 20 - Adds "advance mitigation" to the consideration of

environmental impacts that qualify as a capital project under Sec. 9102

**Crow (D-CO), Torres, Ritchie (D-NY), Moore (D-WI)** – Amendment No. 22 - Ensures underserved communities are considered in the expansion of electric vehicle charging infrastructure deployment

**Dingell (D-MI)** – Amendment No. 23 - Establishes an independent non-profit fund, known as the Clean Energy and Sustainably Accelerator (Accelerator), and is authorized with federal funds as necessary spread over a six-year period. The Accelerator would bolster and expand a robust clean energy workforce, invest in infrastructure projects, and help establish green banks nationwide

**Dingell (D-MI)** – Amendment No. 24 - Expresses the sense of the House of Representatives that Congress, in broad consultation with labor, safety groups, industry, and other stakeholders, should begin establishing a federal regulatory framework for the safe deployment of autonomous vehicles nationwide that will support existing jobs and grow the United States workforce of the future, including good union jobs, keep the United States on the forefront of this technology, and keep the United States competitive around the globe

**Escobar (D-TX)** – Amendment No. 26 - Establishes a set aside within the Community Transportation Investment Grant program to invest in colonia surface transportation infrastructure

**Escobar (D-TX)** – Amendment No. 27 - Directs GAO to conduct a study on the infrastructure needs of colonias

Escobar (D-TX), Higgins, Brian (D-NY), DelBene (D-WA), Cuellar (D-TX), Vela (D-TX), Grijalva (D-AZ), Gonzalez, Vicente (D-TX), Vargas (D-CA) – Amendment No. 28 - Increases the percentage of Surface Transportation Block Grant funds, those that can be used for any area of a state, border states can use for border infrastructure from 5 percent to 7 percent. Keeps the set aside as an option for border states and does not make it mandatory

Eshoo (D-CA) – Amendment No. 29 - Adds meeting current or anticipated market demands for charging infrastructure, including power levels and speed, and minimizing charging time to the factors the Secretary of Transportation must consider when developing guidelines for the deployment of charging stations under the Clean Corridors Program in section 1303

Españat (D-NY), Nadler (D-NY), DeSaulnier (D-CA) – Amendment No. 30 - Allows local transportation agencies to be direct aid recipients of the Metropolitan Performance Program where appropriate

**Garamendi (D-CA)** – Amendment No. 33 - Requires the Secretary of Transportation, in consultation with the Federal Energy Regulatory Commission to enter into an



agreement with National Academy of Sciences to study and report on the threats to pipeline safety due to seismicity (i.e. earthquakes and seismic-induced landslides or land subsidence, etc.)

**Garamendi (D-CA)** – Amendment No. 35 - Makes a technical change to Section 1116 (Corrosion prevention for bridges) to ensure full implementation

**Garcia, Jesús (D-IL), Houlahan (D-PA)** – Amendment No. 36 - Revises the bill's provisions on transportation demand management (TDM) to make clarifying and technical changes to further advance transportation demand management and the use of transportation demand management strategies

**Garcia, Jesús (D-IL), Pressley (D-MA)** – Amendment No. 37 - Requires the National Highway Traffic Safety Administration (NHTSA) to issue a rule for motor vehicle bumpers and hoods to be designed to reduce the impact on vulnerable road users, including pedestrians and cyclists, in the event of a collision with a motor vehicle

**Garcia, Jesús (D-IL)** – Amendment No. 38 - Directs the Secretary of Transportation to make sure that the ongoing and future updates to the Manual on Uniform Traffic Control Devices (MUTCD) treat all users equally, including pedestrians and cyclists. Further directs the Secretary to update its guidance on how often the MUTCD is updated and to consider requiring the MUTCD be updated every four years

**Garcia, Sylvia (D-TX)** – Amendment No. 39 - Creates competitive grant program for qualified 2-year or 1-year higher education institutions which provide education and training for careers in the maritime industry. Authorizes \$200 million for the program

**Gomez (D-CA), Morelle (D-NY)** – Amendment No. 42 - Establishes a program to award grants to entities that provide transportation connectors from critically underserved urban communities and rural communities to green spaces

**Grijalva (D-AZ)** – Amendment No. 44 - Authorizes funding for implementation of the National Environmental Policy Act and requires the Task Force to establish guidelines for efficient and effective environmental review, including through the hiring and training of additional personnel. Ensures the transfer language is permitted only as specified in future appropriation Acts

**Johnson, Eddie Bernice (D-TX)** – Amendment No. 46 - Requires the GAO to study and make public a report analyzing the Department of Transportation's performance of the key objectives of the DBE Program

**Johnson, Hank (D-GA)** – Amendment No. 47 - Increases the amount of funding eligible for public transit operating expenses under the Carbon Pollution Reduction Program to 20 percent of eligible funding

**Johnson, Hank (D-GA)** - Amendment No. 48 - Removes construction of maintenance

facilities as an eligible expense under the Reducing Transit Deserts grant program to prioritize operating expenses

**Johnson, Hank (D-GA)** – Amendment No. 49 - Makes adding service hours or days an eligible expense under the Reducing Transit Deserts grant program

**Krishnamoorthi (D-IL), Porter (D-CA)** – Amendment No. 54 - Requires booster seat manufacturers to label products with information regarding the recommended age and weight of the user, requires car seat manufacturers to label products with information regarding the recommended weight and height at which to transition to a booster seat, creates new standards for booster seat side-impact crash testing, and studies how to maximize the safety of car seat tether systems

**Moulton (D-MA), OcasioCortez (D-NY), Costa (D-CA), DelBene (D-WA), Strickland (D-WA), Espaillat (D-NY), Morelle (D-NY), Blumenauer (D-OR), Maloney, Carolyn (D-NY), Cleaver (D-MO), Titus (D-NV)** – Amendment No. 67 - Increases the PRIME program funding by \$1 billion in each of fiscal years 2022 through 2026, for a total increase of \$5 billion

**Porter (D-CA)** – Amendment No. 85 - Requires the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency to conduct a study on the effects of idling school buses and cars in school zones on children's health

**Rush (D-IL), Dingell (D-MI), Clarke, Yvette (D-NY), Tonko (D-NY), Adams (D-NC)** – Amendment No. 89 - Promotes the domestic manufacture and use of advanced, fuel efficient vehicles and zero-emission vehicles, and encourages electrification of the transportation sector

**Schrier (D-WA)** – Amendment No. 92 - Reauthorizes the Legacy Roads and Trails Remediation Program through 2030 and requires the Forest Service to develop a national strategy to carry out the program

**Torres, Norma (D-CA)** – Amendment No. 104 - Directs the Comptroller General to study units of federally-assisted housing to determine which have access to broadband (10 minutes) 17 and provide recommendations for an all-of government approach to achieving one hundred percent broadband service

**Leger Fernandez (D-NM)** – Amendment No. 113 - Permanently authorizes the Historic Preservation Fund and increases its authorization of appropriations level

**Jackson Lee (D-TX), Espaillat (D-NY)** – Amendment No. 115 - Provides local governments more control over where the funds for the new "Safe Streets" program are spent, by requiring state Departments of Transportation to consult with the local governments before carrying out these complete streets' projects. The "Safe Streets" program uses sets aside safety funds to reduce fatalities and serious injuries on public roads, with a focus on vulnerable road users such as pedestrians, bicyclists, scooters

users, and motorcyclist

**Approved**

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**Cammack, Kat (R-FL), Spanberger (D-VA), Rose, John (R-TN), Baird (R-IN), Feenstra (R-IA), Thompson, Glenn (R-PA), Mann (R-KS), Cheney (R-WY), Bishop, Sanford (D-GA)** – Amendment No. 10 - Amends the Motor Carrier Safety Improvement Act of 1999 to exempt livestock haulers from ELD requirements within a 150 mile radius of the final destination

**Withdrawn**

Y

N

**Nehls (R-TX)** – Amendment No. 70 - Strikes Division D of the bill (rail title)

**Not Offered**

Y

N

**Van Duyne (R-TX)** – Amendment No. 108 - Allows states flexibility to return funds for HOV facility after 10 years of operation

**Approved**

Y 230

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***Davids (D-KS) En Bloc #5***

**Barragán (D-CA)** – Amendment No. 116 - Broadens the scope of the GAO consolidation report to include policy recommendations on alternative compliance strategies and recommended best practices on including public participation in distressed water system consolidations

**Bush, Cori (D-MO)** – Amendment No. 117 - Requires EPA Administrator to undertake a review of current and ongoing efforts to remediate radiological contamination at Coldwater Creek in North St. Louis County, MO. Posts public signage to both prevent and mitigate exposure risks for residents in the surrounding areas

**Craig (D-MN)** – Amendment No. 118 - Add the text of the House-passed Local Water

Protection Act, which would amend the Clean Water Act to reauthorize certain programs relating to nonpoint source management at \$200 million for each of Fiscal Years 2022 through 2026

**Escobar (D-TX)** – Amendment No. 123 - Reauthorizes the Wastewater Assistance to Colonias program and increases its authorization level

**Green, Al (D-TX)** – Amendment No. 124 - Requires the Environmental Protection Agency to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation under section 1412 of the Safe Drinking Water Act for chromium-6 within 2 years after the date of enactment of this Act. The maximum contaminant level goal and national primary drinking water regulation promulgated shall be protective of the health of subpopulations at greater risk

**Jackson Lee (D-TX)** – Amendment No. 126 - Directs that the report the EPA Administrator is required by Section 12020 to submit to Congress also document the harm and injury caused by any identified inequities in the distribution of wastewater infrastructure funds with respect to the identified needs of rural communities, economically disadvantaged communities

**Jackson Lee (D-TX)** – Amendment No. 127 - Establishes a Natural Hazard Education And Response Grant Program for community water systems to carry out activities to educate and assist persons served by the community water system in adapting and responding to malevolent acts and natural hazards, including sub-zero temperatures, that disrupt the provision of safe drinking water or significantly affect the public health or the safety or supply of drinking water provided to communities and individuals

**Kaptur (D-OH)** – Amendment No. 128 - Clarifies the reporting requirements for the green project reserve program, setting clearer guidelines for EPA to track the categories of innovative projects that address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities

**Kildee (D-MI)** – Amendment No. 129 - Requires EPA to create a website to help private well owners understand their water quality testing results and provide information on improving their water quality

**Krishnamoorthi (D-IL), Lowenthal (D-CA)** – Amendment No. 130 - Requires the EPA to conduct a study on the effect of toilet wipes marketed as flushable on municipal water systems and residential plumbing systems

**Lawrence (D-MI), Khanna (D-CA)** – Amendment No. 131 - Requires a GAO report on affordability, discrimination, and civil rights violations in water and sewer services nationwide

**Lowenthal (D-CA)** – Amendment No. 133 - Requires the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-

production plastic pellet pollution

**McNerney (D-CA)** – Amendment No. 136 - Amends the Safe Drinking Water Act to establish a publicly accessible website at the Environmental Protection Agency on reported water main breaks and associated repair activity. After one year, the Administrator shall issue a rule requiring each public water system serving more than 10,000 persons to submit information on each reported water main break and the repair activity for such break

**Moore (WI)** – Amendment No. 137 - Strengthen an existing water infrastructure workforce program to help ensure that low income and very low-income individuals, including those with barriers to employment, are targeted to receive job training on careers in the water and wastewater sectors and increases the authorized funding level to \$25 million annually

**Moore (D-WI), Pappas (D-NH)** – Amendment No. 138 - Authorizes an EPA grant program to support regional stormwater centers of excellence to conduct research and development on innovative stormwater control technologies

**Moore (D-WI)** – Amendment No. 139 - Encourages the use of contractors to carryout lead pipe replacements who hire or provide job training to low-income and very low-income individuals who live in the areas in which such projects will take place and requires a report about the effectiveness of the lead pipe replacement program, including the use of funds to hire low-income and very low-income individuals to carryout the projects

**Norcross (D-NJ)** – Amendment No. 140 - Requires EPA to develop guidance to help public water systems identify high-risk locations for purposes of focusing efforts to test drinking water for lead and replace lead service lines

**OcasioCortez (D-NY), Bowman (D-NY)** – Amendment No. 141 - Doubles the funding to replace and update lead water infrastructure in schools and childcare programs to \$1 billion total (or \$100 million per year)

**O'Halleran (D-AZ)** – Amendment No. 142 - Addresses the Indian Health Service's updated 2019 Sanitation Facilities Deficiency List—which details sanitation deficiency levels for tribal homes and communities nationwide—by setting aside funding for the planning, design, construction, modernization, improvement, and renovation of water, sewer, and solid waste sanitation facilities

**Payne, Jr. (D-NJ)** – Amendment No. 144 - Prioritizes areas with a history of lead water contamination for lead water filtration grants to schools and child care facilities

**Sewell (D-AL)** – Amendment No. 145 - Increases the Authorization of Appropriations for the Household Wastewater Grant Program to \$100,000,000 a year for fiscal years FY2022 to FY2026

**Tlaib (D-MI)** – Amendment No. 146 - Explicitly requires reconnections for residential customers regardless of whether their entire debt is paid off

**Tlaib (D-MI)** – Amendment No. 147 - Adds a study and data collection provisions regarding the prevalence of low-income households in the U.S. who do not have access to affordable wastewater, stormwater, and drinking water services

**Vargas (D-CA), Jacobs, Sara (D-CA), Levin, Mike (D-CA), Peters (D-CA)**  
– Amendment No. 148 - Allows the Environmental Protection Agency to allocate funds to the International Boundary and Water Commission (IBWC), in order for the IBWC to carry out planning and construction, among other related activities, to establish treatment works that address transboundary stormwater and wastewater pollution

**Vargas (D-CA), Ruiz (D-CA)** – Amendment No. 149 - Establishes the California New River Restoration program, through which the Environmental Protection Agency would provide funds, technical assistance, and coordinate local, state and federal stakeholders for the purpose of improving water quality, water management and wildlife protection relating to the U.S. section of the New River

**Approved**

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**Lee, Susie (D-NV)** – Amendment No. 132 - Requires that any wastewater infrastructure funded using the Clean Water State Revolving Fund or other Clean Water Act grant programs to first undergo a climate resiliency assessment, which would ensure that future wastewater infrastructure is designed and constructed to withstand potential impacts of climate change, including drought

**Approved**

Y 220

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