Federal Legislation Update

1) Water Resources Development Act
2) Surface Transportation Reauthorization Legislation
3) Appropriations Legislation
Water Resources Development Act of 2020 (House) and America's Water Infrastructure Act of 2020 (Senate)

**House Bill**
- Unlocks additional funds from the existing balance ($10b) in the Harbor Maintenance Trust Fund (HMTF)
- Prioritizes construction of the Navigation and Ecosystem Sustainability Program (NESP) for the Upper Mississippi River
- Reduces Cost Share - 65% GF/35% IWTF
  - sunsets at end of FY' 27

**Senate Bill**
- Authorizes $17 billion in funding for authorized projects
- Reduces cost share – 65% GF/35% IWTF (From 50/50)
  - No sunset
- Sets 2-year goal to complete feasibility studies
  - Authorizes Great Lakes Flood Protection study
- Sets a 75/25% cost share for any Brandon Road projects
America's Transportation Infrastructure Act of 2019 (Senate)

Highlights

▪ Addresses roads and bridges only

▪ Provides $287 billion in contract authority for the Federal-Aid Highway Program for FY 2021-2025
  - $249 billion for formula programs (roughly 90%, down from over 91% in FAST Act)
  - Additional $7 billion from general fund bringing topline total to $294 billion
  - 27% increase over FAST Act
  - $32 billion less (10%) than House Bill

▪ Creates new competitive bridge program (funded at $6 billion over five years) and increases INFRA grant funding to $1.1 billion/year

▪ Would codify many elements of the "One Federal Decision" policy

▪ New formula and discretionary programs aimed at resiliency and climate adaptation
H.R. 2 – Moving Forward Act
(Formerly the INVEST in America Act)

Funding Highlights

▪ $1.5 trillion bill that Includes funding for 5-year reauthorization as well as funding for clean water and energy projects, broadband, ports and airports, public schools, public housing and hospitals

▪ Transportation reauthorization authorizes $494 billion for FY 2021-2025
  – $319 billion for the Federal Highway Administration
  – $105 billion for the Federal Transit Administration
  – $60 billion for the Federal Railroad Administration, including $29 billion for Amtrak

▪ FY 21 would essentially be a CR of FAST Act (Division A)
  ▪ Includes additional $15+ billion in COVID-19 relief funding (General Funds)
  ▪ 100% Federal match
  ▪ Money can be used for operating expenses

▪ Increases funding for surface transportation programs by 62 percent over FAST Act
H.R. 2 – Moving Forward Act (Cont.)

**Funding Highlights (Cont.)**

- Large increase in CRISI funding ($7 billion over 5 years)
- $10 billion for Projects of National and Regional Significance program (formerly INFRA)
- 20 New Programs, including:
  - Railroad grade-crossing program, Local infrastructure discretionary, gridlock reduction, rural infrastructure program and truck parking program
  - ½ of Gridlock reduction funds ($250 million) setaside for freight grants
- Increases off-system bridge set-aside to over $1 billion/yr
- Funds the Capital Investments Program at $21.51 billion for FY 21-25
  - Includes an additional $958 million on top of the authorized $2.3 billion for FY 21
  - FY 21 obligations would be 100% match
- $10 billion for the U.S. Army Corps of Engineers for authorized water resource projects

**Policy Highlights**

- Prioritizes state of good repair over capacity increases
- Climate Focus
  - Establishes new greenhouse gas emissions performance measure
- Yardmasters subject to hours of service requirements
- Requires FMCSA review of Hours of Service (HOS) rule
- Strengthens underride guard standards for heavy trucks, creates advisory committee
- Authorizes formula funding study
Freight specific policy highlights

- Makes freight formula program fully multi-modal
- Allows states to designate additional rural and urban freight corridors
- Prohibits the transport of LNG by rail
- 2-crew freight train requirement (with minimal exemptions)
- Revises the National Multimodal Freight Policy, the National Strategic Freight Plan, and the requirements for State Freight Plans to include further consideration of environmental and equity impacts.
- Establishes a new deadline for the Secretary to designate a final National Multimodal Freight Network
- Establishes a joint task force between the Department of Transportation and the Internal Revenue Service to study the establishment and administration of a fee on multimodal freight surface transportation services
Transportation Appropriations Bill (House only)

- Fully funds INVEST Act
- Provides a total of $107.2 billion in budgetary resources for DOT – an increase of $21.1 billion above the FY 2020 enacted level, including:
  - $1 billion for BUILD
  - $500 million for CRISI
  - $2.2 billion for Capital Investments Grants Program
  - $300 million for the Port Infrastructure Development Program
- Covid Relief - Provides an additional $26 billion for the Department of Transportation for various programs including:
  - $3 billion for Build
  - $5 billion for CRISI
  - $5 billion in Capital Investments Grant Program
  - $1 billion for Port Infrastructure Development Program
Questions?