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March 2019 Insights

“Water” Committee/Subcommittee Assignments and Staff Changes

On the House Transportation and Infrastructure Committee (Clean Water SRF and Alternative Water Source Program), Congresswoman Grace Napolitano (D-CA-32) was elected Chair of the Water Resources and Environment Subcommittee. Congressman Bruce Westerman (R-AR-4) is the Ranking Member. Mike Brain, Democratic Professional Staff member, left the Subcommittee for the Energy and Water Subcommittee of the House Appropriations Committee. Mike has been a strong supporter of the Coalition’s issues. We will miss him but now have a great contact at the Appropriations Committee. Replacing Mike is Camille Touton, joining the Subcommittee from the Senate Energy and Natural Resources Committee. We know her well as she has worked in the House in the past. Also, a strong supporter of water funding. On the House Natural Resources Committee (WIIN Grant Program), Congressman Jared Huffman (D-CA- 2) was elected Chair of Water, Oceans and Wildlife Subcommittee. Congressman Tom McClintock (R-CA-4) is the Republican Leader. At the staff level, Jackie Silvers, Deputy General Counsel, has left the Hill, with replacement to be determined. We worked well with her for a number of years. On the Energy and Commerce Committee (Safe Drinking Water SRF), Congressman Paul Tonko (D-NY-20), a strong Safe Drinking Water SRF supporter, was elected Chair of the Environment and Climate Change Subcommittee. Congressman John Shimkus (R-IL-15) is the Ranking Member. Staff assignments still in progress. Lastly, Congressman Earl Blumenauer (D-OR-3) (National Water Trust Fund), sits on the Ways and Means Committee (new revenues).

On the Senate Environment and Public Works Committee (Clean Water and Safe Drinking Water SRFs and the Alternative Water Source Program), Senator Kevin Cramer, (R-ND) was elected Chair of the Fisheries, Water, and Wildlife Subcommittee. Senator Tammy Duckworth (D-IL) is the Ranking Member. The new staffer on the Republican side is Lizzy Olsen. On the Senate Energy and Natural Resources Committee, Senator Martha McSally (R-AR) was elected Chair of the Water and Power Subcommittee. Senator Cortez Masto (D-NV) is the Ranking Member. Lane Dickson, with whom we have dealt in the past, is the majority staffer. Rebecca Bonner, new staffer, is his minority counterpart.

Infrastructure

In the House, the Transportation and Infrastructure Committee has the lead on any mega infrastructure bill. They are currently drafting a bill, with details being closely guarded. Chairman DeFazio says that he has been given Floor time in May for its consideration. That seems to be ambitious given the substantive challenges and the sheer number of other House committees that would have a “piece of the action.” DeFazio did say that he’s had two different meetings with people in the White House this month about infrastructure as he crafts his

legislation. And his Republican counterpart on the Committee, Rep. [Sam Graves](#) (R-Mo.), got some [face time](#) with the President on the issue. Last Congress, DeFazio introduced three infrastructure bills: a surface transportation bill funded by a penny increase to the gas tax; an aviation bill funded by an increase to passenger facility charges; and, a water bill that authorized the Clean water SRF at \$20B, \$4B a year over five years, and \$75M per year over five years for the Alternative Water Source Program. In the Senate, the Environment and Public Works Committee has the lead on the bill. Senator John Barasso (R-WY) has a draft of an infrastructure bill which he developed last Congress but to date has not shared with anyone. The Committee Democrats are on record with a letter outlining its proposal for a \$1.5T mega infrastructure bill. To date, bipartisan staff discussions have started but only very preliminarily. Official word from the Senate is that they will likely wait on the House to see what they will do and when.

Hearings

On Feb. 7, the House Committee on Transportation and Infrastructure held a hearing on “The Cost of Doing Nothing: Why Investing in Our Nation’s Infrastructure Cannot Wait.” Witnesses were:

Tim Walz, Governor of Minnesota, on behalf of the National Governors Association
Eric Garcetti, Mayor, City of Los Angeles, on behalf of the Conference of Mayors
Ray LaHood, Co-Chair, Building America’s Future, Former Secretary, U.S. Department of Transportation
Richard Anderson, President and CEO, Amtrak
Eric K. Fanning, President and CEO, Aerospace Industries Association
Lawrence J. Krauter, CEO, Spokane International Airport
Angela Lee, Director, Charlotte Water; on behalf of The Water Environment Federation and The National Association of Clean Water Agencies
Rich McArdle, President, UPS Freight; on behalf of the Chamber of Commerce
Kristin Meira, Executive Director, Pacific Northwest Waterways Association
Larry I. Willis, President, Transportation Trades Department, AFL-CIO

On Feb. 12, the Senate Committee on Commerce, Science, and Transportation held a hearing titled, “America’s Infrastructure Needs: Keeping Pace with a Growing Economy.” The hearing focused on opportunities for infrastructure improvement, including federal funding, financing programs, and permitting and regulatory streamlining. Witnesses were:

William Friedman, Chairman, American Association of Port Authorities, President and Chief Executive Officer, Cleveland-Cuyahoga County Port Authority
Ian Jefferies, President and Chief Executive Officer, Association of American Railroads
Matthew Polka, President and CEO, American Cable Association
Chris Spear, President and CEO, American Trucking Association
Larry Willis, President, Transportation Trades Department

Napolitano H.R. 1162, the “Water Recycling Investment and Improvement Act”

On Feb.13, the Congresswoman introduced the above bill (with 17 cosponsors – all Dems) which the Coalition reported to her office its support. The Coalition supported her bill last Congress. Two changes were made from last year’s version: 1) the EPA grant program was dropped so the focus could be on Title XVI; and, 2) the cap on the Federal share for individual projects was kept but increased from \$20M to \$30M. Per the Congresswoman’s office, the following summary was

provided:

- Increases the WIIN Act authorization for Title XVI from \$50 million to \$500 million
- Makes the WIIN Act Title XVI program permanent as it currently expires in 2021.
- Strikes the requirement that projects must be in drought or disaster areas
- Strikes the requirement that the projects need to be designated in an appropriations legislation
- Increase the limitation on the federal share of individual Title XVI projects from the current \$20 million in October 1996 prices to \$30 million in January 2019 prices.
Does not change the 25% federal cost share.

DeFazio H.R. , the “Water Quality Protection and Job Creation Act of 2019.”

On March 7 or 8, Chair DeFazio, Subcommittee Chair Napolitano, and Representatives Don Young and John Katko are expected to introduce the above bill which, again, the Coalition advised the Committee of its support. The bill:

- Authorizes \$20 billion in Federal grants over five years for Clean Water SRFs.
- Authorizes \$1.5 billion over five years for grants to implement state water pollution control programs.
- Provides \$600 million over five years for Clean Water pilot programs (including Federal technical assistance and/or grants) for watershed-based or system-wide efforts to address wet weather discharges, to promote storm water best management practices, to undertake integrated water resource management, and to increase the resiliency of treatment works to natural or man-made disasters.
- Authorizes \$375 million in grants over five years for alternative water source projects including projects that reuse wastewater and storm water to augment the existing sources of water.

Coalition Hill Contact Database

The Coalition is developing two 116th Congress organizational databases. The first is CWCC Hill contacts, which will identify a contact from each Coalition member agency, and then the member agency’s Representative(s), and that Representative’s contact information, Legislative Assistant for water issues, and email addresses. The second will identify the Democrat and Republican staffs for the Coalition’s key committees and those Members of Congress who may not be associated with a CWCC member.

Coalition 2019 Priorities

To review, the Coalition’s priorities include supporting a mega-infrastructure bill with robust funding for water; reauthorizing the WIIN Grant program with an increased program authorization; supporting Clean Water Act reauthorization; supporting earmarks for water projects; and, advocating for increased CWSRF and SDWSRF funding and water funding in general in the FY 20 appropriations process.

FY19 Federal Funding Generally

The omnibus appropriations bill to fund the remaining Federal agencies was signed into law on Feb. 15.

FY19 “Water” Funding

- Clean Water SRF — \$1.7 billion, which is equal to the 2018 enacted level and \$300 million above the President’s budget request.
- Safe Drinking Water SRF— \$1.2 billion, which is equal to the 2018 enacted level and \$300 million above the President’s budget request.
- WIFIA— **\$68 million**, \$5 million above the 2018 enacted level and \$48 million above the President’s budget request.

FY19 “Transportation” Funding

- TIGER—\$900 million, a decrease of \$600 million below the 2018 enacted level and \$900 million above the President’s budget request. The funding will be allocated 50 percent to urban areas and 50 percent to rural areas.
- FAA—\$17.5 billion, \$549 million below the 2018 enacted level and \$1.3 billion above the President’s budget request. Airport Improvement Program grants receive an additional \$500 million to accelerate infrastructure investments at airports.
- FHWA—\$49.3 billion, an increase of \$1.8 billion above the 2018 enacted level and \$3.5 billion above the President’s budget request. Highway Infrastructure Programs are funded at \$3.3 billion for highway and bridge rehabilitation and construction as well as safety improvements at railroad grade crossings.
- FMCSA—\$667 million, \$178 million below the 2018 enacted level and \$1 million above the President’s budget request.
- NHTSA—\$966 million, an increase of \$19 million above the 2018 enacted level and \$52 million above the President’s budget request.
- FRA—\$2.9 billion, \$218 million below the 2018 enacted level and \$1.9 billion above the President’s budget request. Amtrak is funded at \$1.9 billion, equal to the 2018 enacted level, and \$670 million is provided for rail infrastructure improvements. MagLev is funded at \$10 million.
- FTA—\$13.4 billion, a reduction of \$67 million below the 2018 enacted level and \$2.3 billion above the President’s budget request. Capital Investment Grants are funded at \$2.6 billion to fund all signed Full Funding Grant Agreements and continue work on projects in the development pipeline. Transit Infrastructure Grants are funded at \$700 million to improve and modernize transit infrastructure.

FY19 Energy and Water Appropriations Bill

This bill was already enacted and included an appropriation of the final \$20M authorized funding for the WIIN Act recycled water grant program.

FY20 President’s Budget

By law, the President’s budget is supposed to be submitted by the first Monday in February. That has slipped this year. A budget summary is expected the week of March 4 with the formal budget to be submitted the week of March 11. We continue to keep in touch with OMB on budget issues, but additional funding is always a tough sell with them and they tend to keep information to themselves.

FY20 Congressional Budget Resolution

Congress has an April 15 deadline to pass a Congressional Budget Resolution. Given the slippage in the submission of the President's Budget, this deadline may slip as well. A budget resolution is in the form of a concurrent resolution – passed by both House and Senate – but does not have the force of law. It does not go to the President for signature (in contrast to appropriation bills which must be signed into law). A budget resolution sets upper limits for spending under major functions, which serves as the basis for allocating funding levels to the appropriations subcommittees.

Bill Tracking

S.352 — 116th Congress (2019-2020)

A bill to amend the Internal Revenue Code of 1986 to increase the national limitation amount for qualified highway or surface freight transfer facility bonds.

Sponsor: Sen. Cornyn, John [R-TX] (Introduced 02/06/2019) Cosponsors: (1)

Committees: Senate - Finance

Latest Action: Senate - 02/06/2019 Read twice and referred to the Committee on Finance.

H.R.180 — 116th Congress (2019-2020)

Build America Act of 2019

Sponsor: Rep. Hastings, Alcee L. [D-FL-20] (Introduced 01/03/2019) Cosponsors: (7)

Committees: House - Transportation and Infrastructure, Ways and Means

Latest Action: House - 02/07/2019 Referred to the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

S.146 — 116th Congress (2019-2020)

Move America Act of 2019

Sponsor: Sen. Hoeven, John [R-ND] (Introduced 01/16/2019) Cosponsors: (1)

Committees: Senate - Finance

Latest Action: Senate - 01/16/2019 Read twice and referred to the Committee on Finance.

H.R.658 — 116th Congress (2019-2020)

National Infrastructure Development Bank Act of 2019

Sponsor: Rep. DeLauro, Rosa L. [D-CT-3] (Introduced 01/17/2019) Cosponsors: (60)

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

Latest Action: House - 01/17/2019 Referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such.

S.353 — 116th Congress (2019-2020)

A bill to amend title 23, United States Code, to improve the transportation infrastructure finance and innovation (TIFIA) program, and for other purposes.

Sponsor: Sen. Cornyn, John [R-TX] (Introduced 02/06/2019) Cosponsors: (1)

Committees: Senate - Environment and Public Works

Latest Action: Senate - 02/06/2019 Read twice and referred to the Committee on Environment and Public Works.

S.403 — 116th Congress (2019-2020)

A bill to encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes.

Sponsor: Sen. Whitehouse, Sheldon [D-RI] (Introduced 02/07/2019) Cosponsors: (5)

Committees: Senate - Environment and Public Works

Latest Action: Senate - 02/07/2019 Read twice and referred to the Committee on Environment and Public Works.

H.R.680 — 116th Congress (2019-2020)

Securing Energy Infrastructure Act

Sponsor: Rep. Ruppertsberger, C. A. Dutch [D-MD-2] (Introduced 01/17/2019) Cosponsors: (1)

Committees: House - Science, Space, and Technology

Latest Action: House - 01/17/2019 Referred to the House Committee on Science, Space, and Technology

H.R.228 — 116th Congress (2019-2020)**To authorize programs and activities to support transportation options in areas that are undergoing extensive repair or reconstruction of transportation infrastructure, and for other purposes.** Sponsor: Rep. Velazquez, Nydia M. [D-NY-7] (Introduced 01/03/2019) Cosponsors: (2) Committees: House - Transportation and Infrastructure Latest Action: House - 01/03/2019 Referred to the Committee on Transportation and Infrastructure.