



COMMITTEE ON

# TRANSPORTATION & INFRASTRUCTURE

SAM GRAVES, REPUBLICAN LEADER

## Fact Sheet: H.R. 2, the Speaker's Partisan Green Infrastructure Wish List Part I – the Majority's "My Way or the Highway" Bill (Divisions A-D)

- The Speaker's Partisan Green Infrastructure Wish List began as the Majority's \$500 billion "My Way or the Highway" Bill – which was approved in the Committee on Transportation and Infrastructure on June 18, 2020. No Republicans voted for the bill in Committee.
- That initial bill reauthorizes surface transportation programs for five years at significantly higher funding levels, and it relies on more General Fund transfers to pay for it instead of addressing the Highway Trust Fund's ongoing solvency issues.
- After markup, the bill was further weighted down with another \$1 trillion in various proposals, many of which never went through the legislative process.
- This partisan bill focuses on climate change, emissions reduction, and weaving *Green New Deal* mandates throughout those programs – not on rebuilding our crumbling infrastructure.
- This bill reduces flexibility for states and non-federal partners to meet their own unique infrastructure needs, creates numerous new mandates and programs, fails to improve the project delivery process, and favors urban centers over the infrastructure needs of smaller communities, leaving rural America further behind.

### Costs of Placing *Green New Deal* Goals over Infrastructure

- Focuses on *Green New Deal* climate goals with huge increases for transit and passenger rail funding resulting in significantly less for building traditional infrastructure, such as the roads and bridges our communities need and want.
  - The bill authorizes \$494 billion over 5 years; the current law (the *FAST Act*) authorized \$305 billion over 5 years and expires September 30, 2020.
  - This bill increases transit funding by a **72% total** over the *FAST Act*, compared to an approximately 42% increase for highways and bridges.
  - Rail funding receives an approximately **450% increase** over the *FAST Act*.
- An estimated \$2 out of every \$5 spent by this section of the bill is tied up in *Green New Deal* goals, either in new programs or the many new green requirements injected throughout existing programs (\$23.7 billion in new programs; \$200 billion total over 5 years).
- This bill extends current highway, transit, and highway safety programs through Fiscal Year 2021 and provides additional funding, but it delays major programmatic changes until FY22

due to COVID-19 – an acknowledgement of the significant uncertainty these policy changes would create for our economy, industry, and workers at this time.

- Instead of trying to find a responsible way to pay for this huge increase in funding and addressing the Highway Trust Fund’s solvency issues, the bill simply piles more debt onto future generations with a massive General Fund bailout of \$145 billion.

### **Reduced Focus on Core Programs & Flexibility**

- The bill’s top-down approach limits flexibility for our states and non-federal partners to accomplish the projects and infrastructure priorities of their communities.
  - For example, the bill’s “Fix It First” policy places significant restrictions on building new roads. This limits state flexibility as states have transportation asset management plans in place to help them prioritize projects, forcing states to adopt a “worst-to-first” approach, and ignores new construction projects that may have a greater benefit than a maintenance project.
- The bill ignores broad support from labor and business leaders for streamlining the project review process and putting in place reasonable limits and timetables that still preserve environmental protections.

### **Leaves Rural America Behind**

- Despite claims to help rural infrastructure, following the money demonstrates H.R. 2’s preference for programs and policies that benefit urban communities over rural communities. Its *Green New Deal* focus and seismic shift toward urban transportation needs leaves rural America farther behind.
  - For example, the Majority creates a new “Rebuild Rural” grant program that receives \$250 million in funding while another new program to build electric charging stations that will largely benefit urban areas receives \$1.75 billion – seven times more funding.
- This makes no sense, considering that 71% of public road lane-mileage is in rural America, and crashes and fatalities on rural non-Interstate roads occur at more than double the rate as all other roads.
- Restrictions on building new roads and rural areas’ struggles to compete with urban areas in programs preferred under this bill (such as transit and rail), illustrate how this partisan bill disadvantages rural, smaller, and suburban communities.

### **Questions:**

- Contact Subcommittee on Highways and Transit Republican Staff Director, Michael Falencki (Michael.Falencki@mail.house.gov).



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## H.R. 2 – the Speaker’s Partisan Green Infrastructure Wish List Part II – Everything but the Kitchen Sink (Divisions E-G)

### Aviation Airdrops

- In the Majority’s rush for partisan messaging, the aviation provisions were airdropped into the bill one week after a Committee mark-up, subverting Committee process and regular order.
- Just as with the surface transportation piece of the bill, Democrats did not try to work cooperatively with the Minority on the aviation programs and provisions. In fact, during the June 18<sup>th</sup> Committee markup of H.R. 2, aviation-related amendments offered (including those offered by the Ranking Member Garret Graves of the Select Climate Committee) were blocked by the Democrats on the grounds that they were not relevant in a surface transportation bill.
- Now on the floor, the bill authorizes almost \$23 billion for green aviation infrastructure and clean aviation fuel projects.
- The bill also increases spending out of the Airport and Airway Trust Fund, which is already on the path to insolvency after the *CARES Act* suspended nearly all aviation taxes. This bill exacerbates those issues, and the potential negative impacts to air traffic control and airport project funding are dire.
- The bill only extends certain aviation programs, creating confusing, out-of-sync authorization timelines for Federal Aviation Administration (FAA) accounts that risks the stability of FAA authorities.

### Broken Water Resources Agreements

- Although this bill includes some initiatives that previously cleared the Transportation and Infrastructure Committee, the House, or have been signed into Public Law in a bipartisan manner, in most cases the Majority has altered those measures and broken previous bipartisan agreements.
- This bill authorizes \$40 billion for the Clean Water State Revolving Loan Fund (SRF) for wastewater projects:
  - This is dramatically higher than the \$14 billion authorized under a bipartisan bill (H.R. 1497) approved by the Transportation and Infrastructure Committee in October 2019;
  - It omits a key regulatory flexibility provision that was contained in the Committee-passed, bipartisan H.R. 1497; and

- It adds a new grant program for monitoring and prevention of PFAS, which is not regulated under the *Clean Water Act* and would represent a significant regulatory expansion.
- The Environmental Protection Agency's Brownfields program, which provides assistance for the cleanup of contaminated properties, was recently reauthorized on a bipartisan basis in 2018, through 2023 – however, this partisan bill increases those agreed upon funding levels to \$2.7 billion reauthorization over five years.
- This bill **does not** include a Water Resources Development Act (WRDA) – a typically bipartisan bill that Congress passes every two years which the Transportation and Infrastructure Committee is developing as a separate bill. However, this bill **does** directly appropriate \$15 billion for the Army Corps of Engineer's Civil Works programs outside of WRDA and the annual Appropriations process.
- The bill airdrops in authorizations of two regional waters restoration programs that were not considered or approved by the Transportation and Infrastructure Committee.

### **Public Buildings Unfunded Mandates**

- H.R. 2 adds new energy and water usage requirements for federal buildings and facilities at a time when the General Services Administration (GSA) – the federal governments' landlord – needs to prioritize its limited resources for the safety of the public and federal workers in federal buildings.
- The new requirements do not account for the potential associated costs, and only limited potential exemptions are included.
- There are already existing usage targets and benchmarks in law, and existing energy efficiency requirements have resulted in higher costs for federal construction and leases.

### **Questions:**

- Contact Subcommittee on Aviation Staff Director Holly Woodruff Lyons (Holly.Woodruff@mail.house.gov); Subcommittee on Water Resources and Environment Staff Director Ian Bennitt (Ian.Bennitt@mail.house.gov); or Subcommittee on Economic Development, Public Buildings, and Emergency Management Staff Director Johanna Hardy (Johanna.Hardy@mail.house.gov).