

# 2018 Recap and 2019 Look-ahead: Infrastructure

Overview of congressional and administrative actions around infrastructure with potential agenda items for next year


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# Roadmap

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- 2018 Recap: Congress
  - 2018 Recap: Trump Administration
  - Midterm Elections: Committee Impacts
  - 2019 Look-ahead: Congress
  - 2019 Look-ahead: Trump Administration

# Major congressional actions in 2018 on infrastructure



## Save Our Seas Act

### Background

- Bipartisan legislation that reauthorizes the National Oceanic and Atmospheric Administration's (NOAA) Marine Debris Program through 2022
- Allows the administrator of NOAA to declare "severe marine debris events" that opens up federal funding for cleanup
- Directs NOAA to study marine debris and ways to mitigate debris, including developing alternatives to plastic

**Status:** Passed House on 6/6/18



## FAA reauthorization

### Background

- Bipartisan legislation to renew the Federal Aviation Administration's funding for another five years
- Establishes new conditions for recreational use of drones and repeals the Special Rule for Model Aircraft
- Provides for repairs to infrastructure damaged in natural disaster, and directs how disaster program funds are spent

**Status:** Signed into law on 10/15/18



## America's Water Infrastructure Act

### Background

- Bipartisan legislation to reauthorize funding for water infrastructure programs as well as funding for new projects
- Authorizes \$4.4 billion for EPA's safe drinking water initiatives
- Authorizes \$6.1 billion for US Army Corps harbor, port, and waterway projects
- Funds must still be appropriated by Congress

**Status:** Signed into law on 10/23/18

# Trump administration 2018 recap: infrastructure



## **\$1.5 trillion dollar plan stalled**

- Trump's plan relies primarily on "public-private partnerships"
- The federal government would spend only \$200 billion to entice states, localities, and private investors to match
- No legislative text was introduced



## **Infrastructure point-person leaves the White House**

- DJ Gribbin, White House special assistant for infrastructure resigned in April
- He came to the Trump administration from Macquarie Capital where he worked primarily on public-private partnership projects



## **Executive orders on trade**











- Some analyses have showed increased costs for projects due to import tariffs on steel and aluminum
- A proposed expansion of "Buy American" rules that would require federal infrastructure projects to use only American products was reported in August but never formally announced



There has to be real money, real investment. We're not going to do pretend stuff like asset recycling. We're not going to do massive privatization."

— President Trump

# Democrats win back chairmanships of key House committees, while Republicans maintain control of the Senate

Committee	Chair	Ranking member
Senate Environment & Public Works	 John Barrasso (R-WY)	 Tom Carper (D-DE)
Senate Commerce, Science & Transportation	 John Thune (R-SD)	 Maria Cantwell (D-WA)
Senate Banking, Housing & Urban Affairs	 Mike Crapo (R-ID)	 Sherrod Brown (D-OH)
House Energy & Commerce	 Frank Pallone (D-NJ)	 Greg Walden (R-OR)
House Transportation & Infrastructure	 Peter DeFazio (D-OR)	 Sam Graves (R-MO)

# Potential 2019 infrastructure agenda items for Congress



## Major infrastructure funding package

### Background

- Democrats in the House want much more federal money than proposed by Pres. Trump in 2018
- There is bipartisan support in Congress for increased spending on infrastructure projects
- Democrats have proposed increasing the gas tax to raise money for the Highway Trust Fund
- Federal highway programs need to be re-authorized before 2020

### Potential legislation: H.R. 1664, “Investing in America: A Penny for Progress Act”

- Sponsored by incoming House Transportation and Infrastructure Chairman Peter DeFazio (D-OR)
- Raises \$500 billion for infrastructure projects through annual increases to the gas tax and new Treasury bonds



## Increased oversight of the Trump administration

### Background

- Incoming House Transportation and Infrastructure Chairman Peter DeFazio (D-OR) plans to quickly call on Dept. of Transportation officials to testify on their slow approvals of transit grants



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— Rep. Peter DeFazio (D-OR)

# Potential 2019 infrastructure agenda items for the Trump administration



## Continued deregulation of federal permitting

- President Trump's has made cutting red-tape a priority and has reversed several major initiatives by the Obama administration
- In August 2017, Trump signed the "One Federal Decision" executive order which designates a single agency as the lead decision-maker



## Final WOTUS rule

- The Clean Water Act requires stricter protections of "Waters of the United States," but defining that term has been controversial
- A proposed WOTUS definition was released on December 11, 2018 by the EPA and US Army Corps to replace a controversial Obama-era 2015 rule



## Climate change pivoting

- Democrats, especially new progressive members, have demanded that for any infrastructure package to pass, it must address climate change
- President Trump has frequently denied belief in man-made climate change and rolled back Obama-era climate protections
- The administration may have to accept the creation of new renewable energy programs for any bill to pass the House

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The Democrats will come to us with a plan for infrastructure, a plan for health care, a plan for whatever they're looking at and we'll negotiate ... We have a lot of things in common on infrastructure.

— President Trump