



CREATING GOOD JOBS, A CLEAN ENVIRONMENT, AND A FAIR AND THRIVING ECONOMY

May 5, 2021

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Charles E. Schumer
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, D.C. 20510

Dear Majority Leader Schumer, Speaker Pelosi, Leader McConnell, and Leader McCarthy,

As a coalition of some of the nation's largest labor unions and environmental organizations, collectively representing millions of members and supporters, the BlueGreen Alliance urges you to undertake ambitious plans to rebuild and transform America's infrastructure as you craft a surface transportation reauthorization in the 117th Congress. Done right, such a bill will boost our economy, create millions of jobs, enhance resilience through natural infrastructure, and strengthen our communities, all while simultaneously reducing pollution and combating climate change.

We applaud the work done in the previous Congress toward a surface reauthorization, and the ongoing preparations to develop a reauthorization this year. As both chambers build their legislation this session, we urge Congress to craft a robust package that will:

- **Sustain, support, and enhance transit investment throughout the COVID-19 crisis and as a critical element of recovery.** COVID-19 has been a devastating event for many transit agencies, drastically cutting their ridership and farebox revenue, while increasing costs and threatening their viability. The historic recent COVID package provided important additional transit funding. Future action on infrastructure should include ongoing recovery funding for public transit agencies to address impacts from the pandemic; and the investments needed to rebuild stronger through enhancing and increasing funding for Federal Transit Administration (FTA) block and competitive grant programs such as RAISE grants (formerly known as BUILD and TIGER), Private Activity Bonds, the National Highway Freight Program, Transportation Infrastructure Finance and Innovation Act (TIFIA), Railroad Rehabilitation & Improvement Financing (RRIF), and Capital Investment Grants (CIG)—including New Starts, Small Starts, and Core Capacity.

- **Enhance funding for programs that enable the federal government, states, and localities to purchase, and deploy domestically manufactured electric municipal and school buses and other public and government fleets.** Including sufficient funding to aid in the rapid transition of the transit bus fleet to electric vehicles, through authorities such as the Low and No Emissions Vehicles Program; the Diesel Emissions Reduction Act (DERA); CMAQ; and similar authorities. Ensure Buy America standards apply and are enforced regardless of source of funding.

Similarly, provide funding for school bus conversion, including through DERA; Clean Cities, Clean School Buses; or other programs. Fund conversion of the federal fleet to domestically produced, union-made electric vehicles, including specific benchmarks. Recognizing the status of the USPS as an independent agency, provide funding to replace aging, high-emission vehicles in the USPS fleet immediately, and work to transition all appropriate USPS vehicles to electric or zero-emission.

- **Ensure innovative mobility results in cleaner, safer transportation, and equitable access.** While encouraging U.S. leadership in emerging autonomous, shared, and networked transportation systems, ensure that the FTA, National Highway Traffic Safety Administration (NHTSA), and other relevant agencies uphold principles of equity, and ensure that any publicly funded integration of new transit modes and technologies are held to existing transit safety, workforce, access, environmental, and other standards.

An authorization should ensure enforcement of Title VI of the Civil Rights Act, which prohibits discrimination on the basis of race, color, and national origin in any programs and activities receiving federal financial assistance. The Department of Transportation should be required to further track and issue reports on transportation network companies (TNCs) and other innovative technologies and modes to evaluate the impacts on emissions, traffic congestion, and communities—including access, ridership, demographic trends, and impacts on transit. Any legislation that revises vehicle safety standards to address autonomous vehicles (AVs) should hold AVs to safety standards at least as stringent as today’s vehicles.

- **Facilitate expansion of electric vehicle charging infrastructure.** Fund grants, rebates, and improved tax credits for enough charging stations to support a rapidly growing fleet of electric vehicles, including public and private charging, aligning with the Biden Administration’s goal to deploy 500,000 charging stations. Ensure charging availability for all communities, with a priority on filling gaps in serving low income, rural and deindustrialized communities, and communities of color; availability for residents of multi-family housing; and for charging stations, require certified training of electric vehicle supply equipment (via the Electric Vehicle Infrastructure Training Program [EVITP]) and domestic manufacture of charging stations. Require the domestic procurement of charging infrastructure, and specifically incentivize domestic supply chains for fast charging technology.

Prioritize charging infrastructure investment on national highways, including as outlined in Rep. Levin’s EV Freedom Act or Sen. Carper’s Clean Corridors Act. Ensure that charging tax credit incentives (such as 30C for charging infrastructure) have explicit provisions for domestic content; alternatively to a tax credit, convert to a rebate program tailored to unique needs of medium- and heavy-duty electric vehicle charging equipment. Fund grants through DOE’s Vehicles Technologies Office (VTO) or similar programs (e.g., at DOT) to provide states or utilities with financing to ramp up EV charging infrastructure.

- **Spur low-carbon freight and clean, fair commercial transportation.** Provide enhanced funding to cut emissions from ports and medium- and heavy-duty trucks through diesel emission reduction grant programs, and clean ports grant programs, clean freight grant programs, and excise tax breaks or vouchers modeled on state programs for zero-emission trucks. Such funding can be through DOT, DOE, EPA or other agencies (including the Office of Energy Efficiency and Renewable Energy (EERE), VTO, DOT’s Private Activity Bonds, CMAQ, the Advanced Transportation and Congestion Management Technologies Deployment program, the National Highway Freight Program, DERA, and others) to sharply cut carbon and criteria pollution from commercial vehicles and trucking, and at ports and their associated infrastructure.

Ensure these programs are deployed under conditions that uphold fair labor standards, ensure community engagement and community benefit, and discourage exploitative business models. Clean technology deployment in the commercial trucking sector can provide major emissions reductions and air quality and environmental benefits to local communities.

- **Reinvest in rail.** Enhance funding to DOT to support an expansion and upgrade of transit and commuter rail, intercity rail, and major multimodal projects. Provide funds to protect and sustain Amtrak service on the national network and the Northeast Corridor (NEC), and recommit to projects of national significance such as Gateway and high-speed rail expansion. Full and robust funding of Consolidated Rail Grants, Good Repair Partnership Grants, and Restoration and Enhancement Grants should all be restored. Ensure that all rail projects are implemented under Buy America standards and utilizing procurement approaches that provide strong guidance to enhance community workforce benefits, high labor standards, and focus on the employment of women, people of color, returning citizens, and others traditionally underrepresented in manufacturing.
- **Buy America and labor standards.** Direct DOT and related agencies to extend, clarify and enforce Buy America standards. Extend and ensure effective application to manufactured goods, clean technologies, and materials, and to all forms of public spending. Ensure that all major public spending on and financing of clean technology deployment—including tax incentives, loans, grants, and bonds—all support high labor standards and domestic manufacturing throughout the supply chain, and include Davis-

Bacon requirements, project labor agreements (PLAs), and community benefit agreements (CBAs).

More specifically, extend Buy America applicability including melted and poured provisions—to more infrastructure sectors and materials; tighten and clarify rules on manufactured goods and subcomponents—especially for emerging clean technologies and materials—to support development of critical components in the United States. Improve transparency and waiver rules; and where waivers are approved, improve mechanisms to regularly review, and to require and phase in domestic supply over time.

Supplement Buy America requirements with procurement requirements that require or incentivize high labor standards, union neutrality, career pathways, equity, and community benefits agreements for public procurement of major manufactured materials and equipment; utilize domestic “qualified” or “preferred” domestic entity certification or similar to raise labor standards for procurement; incentivize and/or require significant domestic content and high labor standards in clean technology products and projects receiving tax, grant, or loan funds, and for private activity bonds; and work in conjunction with other agencies to update trade rules on procurement to support domestic manufacturing. Additionally, enforce Davis-Bacon provisions that ensure workers are paid prevailing wages; utilize project labor agreements (PLA), community benefit agreements (CBA), local hire, and other provisions, and practices; and ensure adequate enforcement, including an outside oversight board with the authority to periodically review recipient compliance and adequate funding for state and local enforcement to ensure construction projects truly meet PLAs, CBAs, and other workforce provision requirements.

- **Buy Clean.** Expand the transparency and disclosure of data concerning the embodied emissions of construction materials used in public infrastructure projects. Provide funding, to be available over the life of the reauthorization, to support the buildout of data infrastructure to support Buy Clean, including the establishment of guidance and reporting mechanisms of supply chain greenhouse gas emissions and other pollutants of construction materials from manufacturers bidding who participate in the federal procurement process (e.g. manufacturing such as steel, cement, concrete etc.) on federally-funded public infrastructure projects (including public works, bridges, highways, etc.), and to establish a grant program to provide financial assistance for the development and verification of Environmental Product Declarations (EPDs) for small-medium enterprises who participate in the federal procurement process.
- **Resilience, Natural Infrastructure, and Corrosion.** Enhance the resilience of our surface transportation infrastructure, including through the use of nature-based approaches. Provide resources for states and communities to improve transportation resilience planning and to complete projects that reduce the vulnerability of critical transportation assets in the face of natural hazards. Any such program should explicitly recognize and encourage the use of natural infrastructure approaches to improve

resilience, such as wetland restoration and greenways to absorb floodwaters and buffer impacts of erosion and weather.

Additionally, corrosion will continue to be a threat to our transportation infrastructure, including highways, bridges, waterways, and rail, if such projects are not protected throughout the entirety of their life cycles. Congress should work to address the ongoing issue of corrosion, including developing a plan to prevent environmental degradation that could occur as a result of carrying out corrosion prevention and mitigation methods (consulting with industry trained and certified personnel), and adopting industry recognized standards for contractors, engineers, and employees to ensure they are qualified to perform corrosion prevention on complex infrastructure.

As we make long-term investments at scale in American infrastructure, everything we do must be aimed at building a stronger, fairer, and cleaner economy that creates and sustains the good, high-paying jobs of the future and serves working communities. We look forward to working with the committees of jurisdiction in your respective bodies as you craft this reauthorization.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Walsh', with a stylized, cursive script.

Jason Walsh
Executive Director
BlueGreen Alliance