

CONGRESSIONAL RECORD – 114th CONGRESS, FIRST SESSION
Senate – December 3, 2015

FIXING AMERICA’S SURFACE TRANSPORTATION (FAST) ACT

Mr. REED. Mr. President, I intend to support the surface transportation bill before us. It’s been more than a decade since we have had a true multi-year transportation bill. And while this bill gives state transportation and transit agencies funding certainty for the next 5 years, it is not all that it could or should have been.

I worked hard to retain the transit density formula, which the House had tried to eliminate. If the House had prevailed, the Rhode Island Public Transit Authority (RIPTA) would have lost upwards of \$8.5 million of its federal allocation each year – about one-third of its yearly federal funding. The loss of funding would have been devastating to RIPTA and to the thousands of Rhode Islanders who rely on bus service to get to work, to the store, and to medical appointments. Nonetheless, the funding increase provided under this part of the formula is disappointingly low in comparison to the increase provided to rural and growing states, as well as to states that have established fixed guideway systems.

I’m also pleased that the bill addresses some key priorities for transit workers, including mandating new rules to protect drivers from violent assaults, as well as dedicating funding to frontline workforce training. And overall, the bill continues critical worker protections, particularly under the Davis-Bacon Act.

On the highway side of the ledger, the bill includes a vital increase in formula funding that will give the Rhode Island Department of Transportation a baseline from which it can begin to address the high percentage of structurally deficient and functionally obsolete bridges in the state, as well as the high percentage of roads with unacceptable pavement conditions.

In addition, both the transit and highway titles of the bill each have new competitive programs, including the restoration of a competitive bus and bus facility program for transit agencies and the establishment of a grant program for nationally significant freight and highway projects, those that typically exceed \$100 million.

The bill also includes other important matters, including a long overdue reauthorization of the Export-Import Bank, which has essentially been shuttered since July due to opposition to an extension by some on the other side of the aisle.

On the other hand, there are provisions in the bill that are concerning, beginning with how it is paid for. Rather than relying on the gas tax or another predictable and related funding source, the bill is built on a hodge-podge of offsets like outsourcing tax collection to private debt collectors, which has been tried before and wound up costing revenue rather than generating it. It also calls for selling off portions of the Strategic Petroleum Reserve under the assumption that oil prices will increase, and it taps into funds held by the Federal Reserve – something current and former Fed officials have cautioned against.

In addition, the bill has a number of extraneous provisions, including a measure that preempts a state’s ability to regulate Small Business Investment

Companies (SBICs) and allows certain fund advisors with significant assets under management to escape Securities and Exchange Commission (SEC) registration altogether. In the wake of the financial crisis, it remains unclear to me why we would be so hasty to weaken investor protections. The bill also restores a wasteful agricultural subsidy that I have long fought against and that was just cut under the bipartisan budget agreement last month.

That leads me to a larger point concerning the double standard that is being applied to important legislation that invests in our people, our economy, and our national defense on the one side and to special interest benefits, primarily offered under the tax code, on the other. For years, Congress has tied itself in knots to develop offsets to buy down the sequester, to reduce student loan interest rates, to cover emergency unemployment assistance, and to pay for infrastructure investments like this surface transportation bill. And yet, without a second thought, deficit “hawks” in the majority shrug off billions of dollars in tax cuts and tax extenders with little regard for the cost. Both types of

expenditures have an impact on the debt and deficit. We should be honest about it and account for both in the same way.

Despite these concerns, Mr. President, I believe that after years of work and waiting we should adopt this bill so that transportation agencies can move forward with their plans with the confidence that federal funding will be there.