



H.R. 5735 – State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act

Sponsored by: Reps. Dusty Johnson and Carolyn Bourdeaux

Background: This legislation is companion to S. 3011, which passed the Senate on UC on Wednesday, October 20th, 2021. The CARES Act and American Rescue Plan provided state, local, tribal, and territorial governments with direct funding to help bridge the gap between falling revenues and necessary pandemic expenses. For a variety of reasons, many recipients of these funds have been unable to access them or spend them on worthwhile purposes. This bipartisan bill expands the eligible uses of these funds to include infrastructure, disaster relief, housing, community development, and other investments that will have a long-term economic return. It also ensures tribes and territories eligible for assistance are given the time and flexibility to do so.

Legislation:

- Permits eligible government entities to spend the greater of \$10 million or 30% of their total fiscal relief funding on infrastructure and other new categories, some of which were created by the Bipartisan Infrastructure Framework;
- Does not increase spending, does not place mandates on state or local governments, and does not score;
- Creates a new pathway for well-off entities to return their relief funding for deficit reduction purposes if they wish to do so;
- Includes language to ensure spending supplements existing funding obligations instead of supplanting them;
- Requires the Treasury and Transportation secretaries to report to Congress on the use of relief funds to ensure accountability;
- Clarifies existing allocations set aside at Treasury for tribal governments and ensures they receive funding delayed by legal barriers over the last year;

New Uses of Fiscal Relief Funding: Projects under the following categories would now be eligible for funding with fiscal relief sent to state and local governments.

Nationally Significant Freight and Highway Projects, National Highway Performance Program, Bridge Investment Program, Surface Transportation Block Grant Program, Metropolitan Transportation Planning, Carbon Reduction Program, PROTECT Program, Tribal Transportation Program, Alternative Fueling Infrastructure, Federal Lands Transportation Program, RAISE Grant Program, Federal Lands Access Program, TIFIA Program, ADHS Program, Urbanized Area Formula Grants, Fixed Guideway Capital Investment Grants, Highway Safety Improvement Program, Congestion Mitigation and Air Quality Improvement Program, Territorial and Puerto Rico Highway Program, National Highway Freight Program, Rural Surface Transportation Grant Program, Formula Grants for Rural Areas, State of Good Repair Grants, Grants for Buses and Bus Facilities, National Culvert Removal, Replacement, and Restoration Program, Community Development Block Grant, Bridge Replacement, Rehabilitation, Preservation, Protection, and Construction Program

Major Endorsers:

National Governor's Association, National Congress of American Indians, U.S. Conference of Mayors, National League of Cities, American Road & Transportation Builders Association, Association of Metropolitan Planning Organizations, American Association of State Highway and Transportation Officials, American Public Transportation Association, Associated General Contractors of America, National Stone, Sand and Gravel Association, National Association of Regional Councils, National Association of Counties

*If you have questions or would like to cosponsor, please contact
Hannah.Kagey@mail.house.gov with Rep. Johnson or Matt.Jackson@mail.house.gov with Rep.
Bordeaux*