



August 5, 2021

**As the Senate considers Substitute Amendment #2137 to H.R. 3684, the INVEST in America Act, NTU urges all Senators to support initiatives that reduce wasteful spending, increase accountability and transparency, and uphold free market principles. The underlying bill is a flawed product that is too expensive and burdensome, but lawmakers should still work diligently to improve it.**

*Note:* This is the third of several Vote Alerts that NTU intends to issue on amendments to the bipartisan infrastructure legislation. The first Vote Alert on amendments can be found [here](#) and the second Vote Alert can be found [here](#).

NTU urges all Senators to vote “**YES**” on the following amendments to S. Amdt. 2137, should the amendments receive consideration on the Senate floor:

#### **Tax/Finance**

- **Amendment #2481 from Sen. Rand Paul (R-KY):** This amendment from Sen. Paul would prevent the waiving of Statutory Pay-As-You-Go (PAYGO) requirements for hundreds of billions of dollars in discretionary spending increases. NTU has [critiqued](#) prior attempts to waive PAYGO requirements, believing that lawmakers should provide meaningful offsets for new spending plans in order to maintain budget discipline.
- **Amendment #2498 from Sens. Ron Wyden (D-OR), Cynthia Lummis (R-WY), and Pat Toomey (R-PA):** This amendment would clarify the reporting requirements for cryptocurrency brokers by ensuring intermediaries are not saddled with unworkable rules. Lawmakers should avoid unduly burdensome regulations on a new technology, and this is a positive change that creates a more feasible reporting requirement.
- **Amendment #2560 from Sen. Mike Lee (R-UT):** This amendment would help rebalance the finances of the Highway Trust Fund, which has consistently spent more than it has brought in. Specifically, it would stop this practice by prohibiting the HTF from having expenditures that are higher than annual revenue. For far too long, taxpayers have been required to foot the bill for irresponsible spending through transfers from the general fund to the HTF in order to keep those finances in the black.

#### **Energy/Environment**

- **Amendment #2522 from Sen. Roger Marshall (R-KS):** This amendment would authorize the construction of the Keystone XL Pipeline, which was cancelled by President Biden on his first day in office. The pipeline is important for North American energy production and would provide a significant economic boost. Construction of the pipeline would provide jobs and incomes to thousands of American workers - which are much needed as the economy rebounds from the COVID-19 pandemic.

## Technology

- **Amendment #2520 Sen. Roger Marshall (R-KS):** This amendment would reduce spending on grants for the development and execution of digital equity plans. Especially absent [real](#) pay-fors, lawmakers should look to cut unnecessary spending wherever possible.
- **Amendment #2562 Sen. Mike Lee (R-UT):** This amendment would prohibit duplicative spending on broadband infrastructure. With the rapid proliferation of federal broadband initiatives, this amendment would help ensure taxpayer dollars are being used efficiently.
- **Amendment #2563 Sen. Mike Lee (R-UT):** This amendment would prohibit the allocation of federal funds from the Department of Commerce if the Federal Communications Commission determines that the funding would likely be used for overbuilding by an entity already receiving universal service or other federal broadband funding. Overbuilding wastes resources and does nothing to close the digital divide. Appropriate guardrails need to be in place to ensure funding is going where it is needed.

NTU urges all Senators to vote “**NO**” on the following amendments to S. Amdt. 2137, should the amendments receive consideration on the Senate floor:

## Tax/Finance

- **Amendment #2219 from Sens. Bob Menendez (D-NJ), John Kennedy (R-LA) & Cindy Hyde-Smith (R-MS):** This amendment would impose a cap on the allowable increase in National Flood Insurance Premiums in a given year. Specifically, this amendment prohibits premiums rising by more than nine percent annually. This would exacerbate the dire financial state of NFIP, and would further divorce rates from the actual underlying risk faced by homeowners. The result will be higher burdens on taxpayers and more risk of property damage and casualties in flood-prone areas.

## Defense

- **Amendment #2535 from Sens. Richard Shelby (R-AL), Roger Wicker (R-MS), James Inhofe (R-OK), Mike Rounds (R-SD), and Thom Tillis (R-NC):** This amendment would increase defense spending by \$50.2 billion without any offsets. NTU has regularly called on Congress to reform the defense budget rather than merely throwing more dollars at it. Debates over the level of defense spending belongs in the National Defense Authorization Act (NDAA) and defense appropriations process, not infrastructure negotiations.

## Transportation/Infrastructure

- **Amendment #2491 from Sens. Tammy Duckworth (D-IL) and James Inhofe (R-OK):** This provision would establish a National Center for the Advancement of Aviation, funded by five percent “of the interest from investment credited to the Airport and Airway Trust Fund.” Given ongoing [concerns](#) about the long-run solvency of the Airport and Airway Trust Fund, which uses the revenues from excise taxes on air travel to fund federal aviation programs like the Federal Aviation Administration (FAA), lawmakers should not raid the fund to underwrite new spending. Instead, investment returns from the Trust Fund should remain in the Trust Fund and should be spent on core federal aviation needs.
- **Amendment #2511 from Sens. Richard Blumenthal (D-CT), Ed Markey (D-MA), Chris Murphy (D-CT), Chris Van Hollen (D-MD), Kirsten Gillibrand (D-NY), Elizabeth Warren (D-MA), and Cory Booker (D-NJ):** This amendment would increase Amtrak funding for the Northeast corridor by

\$30 billion, without any spending offsets. NTU has [criticized](#) *existing* funding for rail and Amtrak in the infrastructure package, noting the initial funding “appears to be a no-strings attached bailout with no substantial reforms to get Amtrak on the track to profitability.” Increasing that funding even further is just doubling down on a failed rail policy.

### **Energy/Environment**

- **Amendment #2501 from Sen. Marco Rubio (R-FL):** This amendment would increase funding for South Florida ecosystem restoration by \$5 billion, with no apparent spending offsets.

### **Technology**

- **Amendment #2554 from Sens. Ben Ray Luján (D-NM) and Martin Heinrich (D-NM):** This provision would increase funding for the Broadband Equity, Access, and Deployment Program by \$10 billion, without any corresponding offsets.

### **Agriculture/Nutrition**

- **Amendment #2572 from Sens. Mazie Hirono (D-HI) and Amy Klobuchar (D-MN):** This amendment would increase funding for agricultural research by \$12.5 billion without any spending offsets.