

## EXTENSIONS OF REMARKS

### INVESTING IN A NEW VISION FOR THE ENVIRONMENT AND SUR- FACE TRANSPORTATION IN AMERICA ACT

SPEECH OF

**HON. GWEN MOORE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 2020

Ms. MOORE. Mr. Speaker, I rise in support of H.R. 2 and look forward to working with my colleagues to strengthen and improve this legislation as it moves through the legislative process.

I thank the Chairs of the various committees who have worked hard and tirelessly to put this legislation together.

My colleagues may have noticed that over the past few weeks demonstrators of all colors and creeds have taken to the streets to press for changes in our country caused by systemic racism. While it was police brutality that brought them to the streets, let's be clear that these inequalities span across all institutions of our society.

One area where this systemic discrimination has been long known is in federal transportation funding. For much too long, good ol' boys networks have held tight the rein on this funding so that qualified small businesses owned by minorities and women have been left on the sideline. Even today, their participation is far too low, even as we celebrate some progress. Report after report continue to find systemic barriers, such as access to capital, that leave these businesses hard pressed to compete for these funds.

Economic disempowerment is one of the most crippling effects of the systemic and institutional racism that has gripped this country. When businesses owned by minorities are excluded or have to jump through so many hoops as to be effectively excluded from being able to fairly compete for and undertake the billions of dollars in transportation funding we distribute every year, then we have a problem. A big problem.

Policies to promote equity and end systemic racism in America must not overlook the transportation sector. We must continue to prioritize tearing down barriers that limit the ability to win work because of the color of the skin of the owner or owners or gender or any other form of unlawful discrimination when advancing transportation legislation.

With so many literally crying out in our streets across our nation for Congress to act boldly and strongly to address inequalities that are so entrenched and pervasive, particularly against women and people of color, this bill marks a great opportunity to move the ball forward. Unfortunately, while H.R. 2 today recognizes the historic discrimination in the transportation industry that has left qualified businesses owned by minorities and women behind, and I applaud those steps, it overall punts on trying to help ensure a fair and competitive process for winning work on the \$1.5 trillion in funding authorized in this legislation.

Even as the DOT Inspector General, GAO, and others continue to identify problems with existing programs (much less make recommendations about ways to improve them) that hinder their effectiveness, including grantees supplying incorrect data, problems with certification, and much more, this bill largely stands pat with the status quo. I am disappointed that some amendments to try and improve existing programs to address identified problems were not made in order.

The status quo is unacceptable. We need to take every opportunity to tear down systemic racism and discrimination, including that found in our transportation and infrastructure sector. If the federal government is unwilling to lead in this area, who will?

I include in the RECORD a letter that I authored, and which 40 of my colleagues joined, to the House Transportation and Infrastructure Committee earlier this Congress asking for an infrastructure package that helps ensure a level playing field for these qualified businesses.

At the end of the day, what these communities desire is not a promise of hearings or more excuses about why we have to be careful here, but the opportunity for all communities to compete on a fair, impartial, and unbiased basis for federal transportation dollars that they, as taxpayer, contribute to. It is clear that even today, that is not the reality. We need to dismantle the institutional barriers that stack the odds against these qualified businesses.

Again, I support the level of investment in this bill. I support the plus-ups for public transportation, water, rail, and to combat climate change. Those are critical changes that will help improve infrastructure and address real needs in our communities.

And while I urge my colleagues to support this bill, and will vote for it, I also want to make clear that there is more work to do here to heed the voices that have taken to our streets and are screaming out today to end racism in all its forms, in all aspects of our society.

CONGRESS OF THE UNITED STATES,  
Washington, DC, February 8, 2019.

Hon. PETER DEFAZIO,  
Chairman, House Transportation and Infrastructure Committee, Washington, DC.

DEAR CHAIRMAN DEFAZIO: As you put together an infrastructure package, we write to urge you to take steps to ensure that minority contractors can fully participate in all projects funded by any proposal in the 116th Congress. We urge the inclusion of funding and provisions in any such proposal that help facilitate the certification of these contractors as well as to support their ability to fairly compete and win work. Additionally, we urge you to ensure that all hearings on an infrastructure package in the 116th Congress include the voices and viewpoints of minority contractors who can testify to the ongoing challenges they face in competing for and winning work on federally funded infrastructure projects.

Transportation projects mean jobs and businesses for communities across our nation and ensuring that all businesses in our

communities, including small and disadvantaged concerns owned businesses, must remain a priority.

Unfortunately, too often, the promises provided by federal law and regulations regarding minority contractor participation in federally funded infrastructure projects fall well short of the reality. Despite some successes, many states are still struggling to meet participation goals and requirements with their regular federal infrastructure funding, when such goals and requirements are attached. What these challenges do point out is the need for lawmakers to continue to make forceful efforts to attack the historically and ongoing inequality when it comes to federal infrastructure contracting.

I know you agree with us that a new infrastructure package must benefit all stakeholders, including minority contractors. Therefore, including the voices of minority contractors in the development of an infrastructure package, including hearings on such a package, is a necessary first step. Hearing from these stakeholders will allow you to better understand existing gaps in federal and state participation requirements and help get to the bottom of the most frequent complaints and problems. And the message you will most likely hear is that the Department of Transportation (DOT) needs to improve the effectiveness and oversight of its Disadvantaged Business Enterprise (DBE) program, including better enforcement.

The DOT's implementation of its DBE programs has been the subject of numerous reports by its Office of Inspector General (IG), highlighting problems with the Department's various DBE programs including at the Federal Aviation Administration. One of the most glaring conclusions from the past reports is the IG's conclusion that "[t]he Department does not provide effective program management for the multibillion-dollar DBE program." Before we pour billions more of federal transportation dollars through DOT to the states as a part of an infrastructure package or surface transportation reauthorization, Congress should listen to, and then appropriately respond to, the needs and concerns of stakeholders, including minority contractors and the IG. And any such package should incorporate their ideas about how to best construct a proposal to help ensure that all communities truly benefit and have a fair and equal opportunity to compete for the thousands of contracts and subcontracts that are likely to flow from that package.

We also know that without pressure from Congress, long overdue but needed improvement will not occur and these business and our communities will find themselves remaining on the sidelines, even as billions in new funding flow to communities nationwide.

Again, as you move forward on constructing the infrastructure package that our nation needs, we must consider and address the needs of these qualified but often overlooked businesses. The fact is that despite repeated affirmation by Congress, some states still make no or limited efforts to help certified firms obtain DBE work on federally funded projects and in others, most certified DBEs never win any business should concern and trouble us as policymakers.

Lastly, one step such legislation can take is to make clear that all infrastructure agencies have a responsibility for implementing

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and enforcing rules, guidance, and federal laws which require equal employment and labor opportunities in federal contracting such as Executive Order 11246 (Equal Employment Opportunity). That E.O. requires agencies to include certain nondiscrimination and equal employment opportunity provisions in federal contracts, including federally assisted construction contracts. Unfortunately, we are concerned that this Administration's weak record and blatant attempts to roll back important protections enshrined in federal contracting law and regulations will have a disparate impact on minority communities and contractors.

There is no reason why any package to invest in our infrastructure in order to foster a safe and modern transportation system should not also help small businesses like yours. These are not conflicting goals; it actually makes good and sound economic and transportation policy.

As Members of Congress who care deeply about ending unequal access to federal contracts and addressing our nation's glaring infrastructure needs, we hope you understand the need to make sure both goals are met in any infrastructure package and will work with us to achieve them.

Sincerely,

GWEN MOORE, Member of Congress; HENRY C. "HANK" JOHNSON, Member of Congress; GREGORY MEEKS, Member of Congress; AL LAWSON, JR., Member of Congress; JAN SCHAKOWSKY, Member of Congress; ALCEE HASTINGS, Member of Congress; MARC VEASEY, Member of Congress; SHEILA JACKSON LEE, Member of Congress; BOBBY L. RUSH, Member of Congress; JAOQUIN CASTRO, Member of Congress.

KAREN BASS, Member of Congress; ADAM SMITH, Member of Congress; SUZANNE BONAMICI, Member of Congress; MARCIA L. FUDGE, Member of Congress; AYANNA PRESSLEY, Member of Congress; TERRI A. SEWELL, Member of Congress; BRENDA L. LAWRENCE, Member of Congress; REP. TONY CÁRDENAS, Member of Congress; DONALD PAYNE JR., Member of Congress; BETTY MCCOLLUM, Member of Congress.

YVETTE D. CLARKE, Member of Congress; COLLIN PETERSON, Member of Congress; EARL BLUMENAUER, Member of Congress; ILHAN OMAR, Member of Congress; NYDIA M. VELÁZQUEZ, Member of Congress; DEBBIE DINGELL, Member of Congress; RASHIDA TLAIB, Member of Congress; BENNIE THOMPSON, Member of Congress; ANDRÉ CARSON, Member of Congress; JESÚS G. "CHUY" GARCÍA, Member of Congress.

SANFORD D. BISHOP, Member of Congress; DAVID SCOTT, Member of Congress; BONNIE WATSON COLEMAN, Member of Congress; ADRIANO ESPAILLAT, Member of Congress; JOYCE BEATTY, Member of Congress; WILLIAM LACY CLAY, Member of Congress; MARK POCAN, Member of Congress; ANGIE CRAIG, Member of Congress; LAUREEN UNDERWOOD, Member of Congress; RUBEN GALLEGOS, Member of Congress.

CEDRIC L. RICHMOND, Member of Congress; GRACE MENG, Member of Congress; JOHN LEWIS, Member of Congress; EDDIE BERNICE JOHNSON, Member of Congress; ANTHONY BROWN, Member of Congress; ROBIN L. KELLY, Member of Congress.

#### RECOGNIZING THE CAREER OF SHERRY ABELOVE ON THE OCCASION OF HER RETIREMENT

##### HON. JAMIE RASKIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 2020

Mr. RASKIN. Madam Speaker, I rise today to recognize my constituent Sherry Abelove, who is retiring this week after 31 years of dedicated public service. Sherry is a licensed social worker, who has devoted her career to serving the people of Maryland and Montgomery County.

After receiving her master's degree in social work from Washington University in St. Louis, Sherry went on to receive her certification as a Licensed Certified Social Worker—Clinical in the state of Maryland. In 1989, Sherry began work for the Developmental Disabilities Administration within Maryland's Department of Health. For 17 years, she served Maryland's developmentally disabled residents and their families.

In 2006, Sherry went to work for Aging and Disability within Montgomery County's Department of Health of Human Services, where she worked within Adult Protective Services to reduce the risk to senior citizens and those with disabilities. Sherry continued to dedicate her skills and experience to most vulnerable members of the community and state.

Madam Speaker, I am honored to recognize the extraordinary career of Sherry Abelove and hope that my colleagues will join me in congratulating Sherry on a dedicated lifetime of service.

#### CHANGE OF COMMAND AT NSWC CRANE

##### HON. LARRY BUCSHON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 2020

Mr. BUCSHON. Madam Speaker, I rise today to recognize the Change of Command at Naval Surface Warfare Center, Crane Division.

On July 1, 2020, Captain Mark H. Oesterreich will move on from NSWC Crane after three years of faithful service, and Captain Duncan McKay assume command.

NSWC Crane is the world's third largest naval base and is home to a variety of research and testing projects that are critical to our national security ranging from hypersonics to Electronic Warfare is not only a key site for the Navy but also an important economic resource for the Indiana and the Eighth District. NSWC is the third largest employer in Southwest Indiana, and the Center provides nearly \$2 million to Indiana's economy each day. Excellent leadership at NSWC Crane is thus vital for both the Navy and the State of Indiana.

During his time at the helm of NSWC Crane, Captain Oesterreich oversaw important progress made in all three of its focus areas—electronic warfare, expeditionary warfare, and strategic missions. More importantly, Captain "O" successfully instilled trust and confidence in the sailors under his command. I am grateful for his leadership during the past three years, and I wish him fair winds and following seas as he moves on from this command.

Captain McKay comes to Southwest Indiana with tremendous experience that will make him an asset to NSWC Crane. After initial deployments to the North Atlantic, Mediterranean, and Persian Gulf, he served as the Battlegroup Operations Officer for Commander Submarine Squadron Eleven (CSS-11) in San Diego. He then completed graduate studies at the prestigious Massachusetts Institute of Technology and served in important logistical and maintenance roles. In his most recent tour, Captain McKay served as the Operations Officer at Portsmouth Naval Shipyard. I look forward to working with Captain McKay as NSWC Crane begins a new chapter under his leadership.

On behalf of all Eighth District Hoosiers, it is my pleasure to congratulate Captain Oesterreich and welcome Captain McKay to NSWC Crane.

#### LAREDO INTERNATIONAL RAIL BRIDGE

##### HON. SHARICE DAVIDS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 2020

Ms. DAVIDS of Kansas. Madam Speaker, I rise today to highlight an issue on our southern border, at the Laredo International Rail Bridge, linking the United States to Mexico. This particular bridge is owned by the Kansas City Southern railroad. They are a crucial fixture of the greater Kansas City area economy, employing more than 7,000 people and operating thousands of miles of rail network between the United States and Mexico.

Trains that cross the Laredo International Rail Bridge in either direction are required to stop in the middle of the bridge and switch out the crews and perform various inspections before continuing. This often exacerbates the congestion at the busiest rail crossing on the southern border and leaves the sometimes miles-long trains blocking streets and highways on both sides of the border. Moreover, it limits the number of trains that can make this crossing daily. Many of those trains are carrying agricultural goods, some being shipped from Kansas.

I understand the difficult situation at this border and the importance of finding a solution. The current status of operations at the Laredo International Rail Bridge is inefficient, time-consuming, and a safety hazard. I am also concerned about alternate solutions that do not take our rail workers' labor rights into account. I am committed to working with my colleagues on both sides of the aisle to find a solution that will protect workers' rights and maintain safety, while also maximizing time and space so that our railroads can continue to be successful. Safety and efficiency are the watchwords in solving this problem and we need a reasonable and equitable solution.

#### PERSONAL EXPLANATION

##### HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 2020

Mr. GUTHRIE. Madam Speaker, I was unable to vote in person due to a family commitment.