

S. 3011 Section by Section:

- **Section 1:** Short Title - State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act
- **Section 2:** Will provide additional flexibility for States, Tribes, and units of local government to spend their allocations of the Coronavirus State and Local Fiscal Recovery Funds.
 - This does not tell the recipients how to use COVID funding and does not reclaim any already distributed funding.
 - This gives state and local officials additional flexibility to responsibly spend their own funds.
 - There is a \$10 million minimum allowance for the provision of government services to help smaller governments comply with program requirements.
 - There is a cap on how much of the COVID money can be spent on new infrastructure purposes – the greater of \$10 million or 30% of distributed funds.
 - Previous ARP set asides for water, wastewater, and broadband projects remains unrestricted.
 - Any project currently eligible for funding under the following programs would now be eligible for financing with COVID relief dollars.

Programs:

- Nationally Significant Freight and Highway Projects
- National Highway Performance Program
- Bridge Investment Program
- Surface Transportation Block Grant Program
- Metropolitan Transportation Planning
- 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
- Carbon Reduction Program
- PROTECT Program
- Tribal Transportation Program
- Alternative Fueling Infrastructure
- Federal Lands Transportation Program
- Federal Lands Access Program
- RAISE Grant Program
- TIFIA Program
- ADHS Program
- Urbanized Area Formula Grants
- Fixed Guideway Capital Investment Grants
- 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

- **Section 3:** Would make improvements to the Local Assistance and Tribal Consistency Fund to ensure the money already allocated under the ARP gets to the intended counties.
 - The Local Assistance and Tribal Consistency fund was \$2 billion set aside in the American Rescue Plan for state, local, Tribal, and territorial governments that are near public lands and have been disproportionately hit by the COVID-created economic crisis.
 - These funds can be used for governmental purposes.
 - \$500 million was set aside within the \$2 billion for Tribal governments.
 - This section is additional descriptive language to make sure the funds are distributed the way they were intended to be distributed.
- **Section 4:** Is the Tribal CARES Act fund extension, which will allow Tribes to use their CARES Coronavirus Relief Funds until December 31, 2022.
- **Section 5:** Would determine how COVID relief funds that are declined by states, territories or other governmental entities will be used.
 - Ensures that if a “nonentitlement unit of local government” – a local governments serving less than 50,000 people – would receive their portion of funding, unless they also decline the COVID relief funding
 - COVID relief funds declined by state and local governments would go towards deficit reduction.
 - Applies this section to State, territory, or other governmental entities, and excludes Tribal governments from this definition.

CBO has confirmed S. 3011 does not score.