

**Transportation and Infrastructure Committee Members' Day Hearing**  
**April 14, 2021**  
**Testimony of Congresswoman Teresa Leger Fernández**

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Good morning and thank you Chair DeFazio and Ranking Member Graves for holding this hearing.

I appreciate this Committee's commitment to enact a bold infrastructure plan in this transformative historic moment as we climb out of a recession, address the climate crisis, and build a better, more equitable future. Like many states throughout the country, New Mexico needs infrastructure investments that will create the foundation for our communities to thrive. In fact, according to the American Society of Civil Engineers (ASCE), deficient roads in New Mexico cost each driver \$767 per year and the State's schools face an over \$400 million capital expenditure gap. ASCE also estimates that the State will need \$1.4 billion to meet drinking water infrastructure needs. Although today's Committee hearing is focused on surface transportation reauthorization legislation, I urge the Committee to consider an expansive view of infrastructure so we can help New Mexicans and all Americans.

New Mexico is also ground zero for the potential for bold climate action and also the potential for economic disaster if we don't transition with an understanding of the likely harm to the communities that have depended on fossil fuel development for both jobs and tax revenue. Our ecosystem is very fragile, and a warmer planet could mean extensive droughts and wildfires that threaten our very existence in the beautiful place we New Mexicans call home. As a result, connecting communities and promoting economic diversification, while also making strides toward a clean energy future, is crucial.

#### Economic Opportunity

This starts with connecting our rural and underserved communities to economic opportunity. In addition to supporting funding and policy to address our deteriorating roads and bridges, I urge the Committee to direct funding to transportation infrastructure that specifically connects economies transitioning away from oil and gas to existing railroads and transportation networks. For example, Farmington, New Mexico is connected by oil and gas pipelines to the rest of the economy, but lacks access to a commercial rail line. This could become a prototype for rail innovation while spurring the just transition.

Nowhere are these kinds of transportation and infrastructure needs more apparent than in our tribal communities. Whether it's the lack of running water and plumbing for tribal households, or inadequate roads to take elders to healthcare facilities, COVID-19 has exposed the deep infrastructure inequities that tribal communities face. For example, Navajo children often cannot ride the school bus because bridges and roads are deteriorated. In fact, the Navajo Nation recently reported \$7.9 billion is required to address its infrastructure needs alone. While COVID-19 displayed these unacceptable conditions, we know these problems are due to decades of underinvestment.

## Investment in Tribal Communities

I was Counsel to numerous Native American Tribes and their entities for 30 years and I have seen the devastating impacts of this underinvestment. Now, I am honored to serve as the Chair of the Natural Resources Subcommittee for Indigenous Peoples. Our federal government has a unique trust obligation to Tribes. As you evaluate Member-designated project submissions, I urge the Committee to bear in mind this trust responsibility and consider granting Members additional funding for projects submitted by Tribal governments and their entities within their districts. Tribal reservations are vast and in need of road improvement. According to the Government Accountability Office, there are over 150,000 miles of roads on Tribal lands, over half of which are unpaved and often in poor condition. In just my district, I have 16 federally recognized tribes, and the Jicarilla Apache Nation, alone, maintains about 700 miles of BIA and Tribal roads. As a result, it's past time we ramp up funding and support for the Tribal Transportation Program under the Department of Transportation as well as the Road Maintenance Program under the Bureau of Indian Affairs, just to name two programs.

And to be clear, tribal infrastructure needs extend well beyond roads and bridges. We must also invest in our drinking water systems, electricity sector, and broadband. We can make legitimate progress in all these areas, improving communities and enabling New Mexico's to take advantage of its enormous potential to be a leader in the clean energy economy.

## A WPA for Today

In New Mexico, arts and culture are an essential part of American infrastructure and can help unite the country as we allow every story to be celebrated as the American story. The creative economy helps turn a town into a community. That is why our state invests in the creative economy with a 1 percent for the arts set aside in our publicly funded projects and the creative economy accounts for 10 percent of the jobs in the state. Our federal government recognized this value decades ago when it created the Works Progress Administration ("WPA") to employ, among others, muralists, photographers, and other creative workers whose beautiful creations during the depression inspire us today. In a time when our nation is so divided, we desperately need to be reminded of our cultures and shared experiences and what binds us together as Americans. I urge you to invest in the creative economy, like we did with the WPA, as we rebuild and reimagine our communities.

Similar to the 1 percent for the arts funding, I encourage setting aside a percentage of the infrastructure projects for use in creative projects in the locale of the spending. We need to put the musicians, playwrights, muralists and poets back to work to help rebuild and heal our nation. As Amanda Gorman said at your inauguration, "Being American is more than a pride we inherit, it's the past we step into and how we repair it."

Thank you again to the Chair and Ranking Member. I look forward to working together to achieve these critical investments.