



November 29, 2016

Trump Administration Transition

President-elect Trump has announced that he will nominate Elaine Chao to be the next Secretary of Transportation. Her nomination must be confirmed by the US Senate in the new 115th Congress. This nomination comes as a surprise since Chao's name had not been previously mentioned in the press among the many other names rumored. However, Chao is very knowledgeable about transportation having served as US DOT Deputy Secretary during the George H. W. Bush (41) Administration. She later served as Labor Department Secretary under George W. Bush (43) for the entire eight years of that Administration. She is viewed as being very smart and capable – someone who knows how to run a federal agency. She was considered to be a hard worker who kept her head down and avoided unnecessary controversy. She has a particularly strong background in maritime and labor issues.

No other US DOT nominations have been announced, but now that the Secretary has been named, it is typical to see other positions, such as modal administrators, named. However, it is not unusual to be well into the spring before all key agency positions are nominated and confirmed.

Here are some highlights of Chao's background and career:

Born in Taipei, Taiwan – 63 years old

MBA from Harvard

Was a banker before entering government

White House Fellow

Deputy Administrator, US DOT Maritime Administration – 1986-1988 under Reagan Administration

Chairwoman, Federal Maritime Commission – 1988-1989 under Reagan Administration

Deputy Secretary, US DOT – 1989-1991 under George H. W. Bush Administration

Director, Peace Corps – 1991-1992 under George H. W. Bush Administration

President & CEO of United Way – 1992-1996

Secretary, US Department of Labor – 2001-2009 under President George W. Bush – served entire eight-year term

Fellow, Heritage Foundation

Serves on numerous corporate and non-profit boards; media commentator

Married to Senate Majority Leader Mitch McConnell (R-KY)



Lame Duck Session

Congress has returned from its Thanksgiving break and is expected to continue the post-election Lame Duck session through at least December 9. The primary “must-do” item for the Lame Duck session to tackle is funding for FY’17. The current short-term extension of FY’16 funding expires on December 9. It appears that Congress is leaning towards passing another short-term, government-wide Continuing Resolution (CR) through March 31, 2017, rather than a full-year CR or actual FY’17 funding bills. This is because Republican leaders in Congress want to have an opportunity to revisit the federal agency funding levels once the new Congress convenes on January 4 and President-elect Trump is sworn-in on January 20.

Unfortunately, for transportation programs this means the \$900M increase in highway investment and \$600M increase in transit funding called for by the FAST Act and included in the House and Senate FY’17 transportation funding bills would be delayed at least until spring. It also means it is highly unlikely that US DOT will announce or release any FAST Act FY’17 competitive grants until next April or May under the new Administration.

In positive news, there seems to be an agreement to include funding for the Flint water crisis in the new CR rather than keep it in the pending Water Resources Development Act (WRDA) bill. Removing the controversial provision may make it easier for Congress to complete action on the WRDA bill, which funds Army Corps of Engineers water projects, before the Lame Duck concludes.

Congress is still trying to complete the conference on the comprehensive energy reform bill. Any legislation that is not signed into law before the 114th Congress concludes in December dies and must be reintroduced next year.

Congressional Committee Leadership

A number of key committee leadership positions have been finalized. Senator John Barrasso (R-WY) will take over as the chair of the Senate Environment & Public Works Committee replacing term-limited Jim Inhofe (R-OK). And Senator Tom Carper (D-DE) will take over as ranking Democrat replacing the Barbara Boxer (D-CA) who is retiring.

Senator Pat Leahy (D-VT) will become the ranking Democrat on the Appropriations Committee, Senator Dianne Feinstein (D-CA) will take over the ranking spot on the Judiciary Committee, Senator Mark Warner (D-VA) will become the ranking member on the Intelligence Committee and Senator Claire McCaskill (D-MO) will become the senior Democrat on the Homeland Security Committee.



In the Senate, Democrats have elected Senator Chuck Schumer (D-NY) as Minority Leader, Senator Dick Durbin (D-IL) as Minority Whip, and Senator Patty Murray (D-WA) as Assistant Minority Leader.

In the House, Republicans re-elected Rep. Paul Ryan (R-WI) as their candidate for Speaker of the House. The full House will vote on his election when the 115th Congress convenes in January. House Democratic leadership has postponed leadership elections until November 30. At least one member has announced a challenge to Minority Leader Nancy Pelosi.

Chairman Bill Shuster (R-PA) of the House T&I Committee announced that Matt Sturgis will become the new full committee staff director.

Other News

- FTA has released a new, [how-to video](#) for those with questions about how to apply to FTA's Core Capacity Improvement grant program. The presentation provides an overview of the grant program, offering an in-depth training on project eligibility, completing steps in the process, and project evaluation and rating. It synthesizes the requirements in law, regulation, policy guidance and FTA's application procedures in an easy-to-understand format. Core Capacity projects, which fund substantial, corridor-based investment in existing transit systems, are one of three types of projects authorized under the [Capital Investment Grant Program](#).
- FTA has developed an estimate of potential greenhouse gas emissions from bus, rail and other transit projects that agencies can reference in lieu of conducting project-by-project analyses. The administration said its new Draft Greenhouse Gas Emissions from Transit Projects: Programmatic Assessment can be used by transit agencies when considering environmental impacts of their projects as required under NEPA. Comments on the proposal are due by January 6, 2017. Here is a [link](#) to the November 22 Federal Register notice.
- On November 21, FRA proposed updates for the passenger train safety standards used for high-speed trains that can travel up to 220 miles per hour. The proposed updates would establish a new category of passenger equipment, Tier III, for trains traveling up to 220 mph. The updates would offer an alternative method for evaluating how well passengers and crews are protected in an accident, often called crashworthiness. Public comments must be received within 60 days. Although Tier III trains will be required to have exclusive track to operate at speeds above 125 mph, the new standards will allow Tier III trains to safely share track with current Tier I and Tier II commuter, intercity and Acela trains. Here is a [link](#) to the proposed updates.