



December 13, 2012

The only game in town right is speculating on the outcome of “fiscal cliff”. At this point, it is impossible for anyone to predict how Congress and the Administration will resolve the crisis. All sides are at a standstill and continue to engage in political posturing to reassure their bases that they will not capitulate. Rather than dealing with some of the less controversial issues that make up the fiscal cliff on a piecemeal basis, more issues are being piled on – such as the debt ceiling, the FY’13 omnibus appropriations bill and most recently, billions in supplemental funding for Hurricane Sandy disaster relief. House Speaker Boehner is threatening to keep his body in session through the end of the year with only a short break for Christmas. It was originally viewed as a bluff, but as the clock ticks away, it may become reality.

Buried somewhere in the debate is the possibility that a comprehensive “grand bargain”, if such a thing is still possible, might include a gas tax increase for the Highway Trust Fund. In addition to the “Simpson Bowles” recommendation of a 15-cent gas tax increase for transportation, the recently revised Rivlin-Domenici deficit reduction proposal also recommends a 15-cent gas tax increase.

Regardless of how Congress resolves things before the end of the calendar year, the new 113th Congress will be sworn in on January 3. Any bills not completed by that date are dead and must be reintroduced in the new Congress. While both the House and Senate are scheduled to be in session following the 3rd, usually not too much work gets done until after the presidential inauguration set for January 21.

Hurricane Sandy Supplemental Funding Request

Late last Friday, the Administration submitted to Congress its FY’13 supplemental funding request to cover the costs of continued disaster relief in the aftermath of Hurricane Sandy. The Administration requested a total of \$60.4B, not quite as much as the region was requesting, but significantly more than had been rumored. If approved by Congress, of that amount, \$12B would go to US DOT (with most going to the new FTA MAP-21 Emergency Relief program), \$5.3B to the Corps of Engineers, and \$21.8B to the Department of Homeland Security, mostly for FEMA, and the remainder to other federal agencies primarily HUD. Of the total amount, \$47B is for disaster relief and, in an unexpected development, \$13B is for mitigation projects to reduce the risk of future disasters. Here is a [link](#) to the Administration request.



PB Washington Update

PREPARED BY CATHY CONNOR
MANAGER OF GOVERNMENT AFFAIRS

**PARSONS
BRINCKERHOFF**

Yesterday, the Senate Appropriations Committee released its version of a Sandy bill. Their goal is to try to pass the bill on the Senate floor this week. The transportation portion of the Senate bill is similar to the White House request and includes: \$10.8B for transit which includes \$5.4B for mitigating future disasters, \$921M for highway repairs, \$336M for Amtrak for the Northeast Corridor, \$74M for the Coast Guard and \$30M for the FAA. Here is a [link](#) to the text of the Senate bill.

The Senate Commerce Committee hearing held on December 6 on "Superstorm Sandy: The Devastating Impact on the Nation's Largest Transportation Systems." The hearing examined the impact of Sandy on the Northeast region's transportation systems, including the extensive damage and operational disruptions to the region's rail and port infrastructure, the response in the wake of the storm, and the need to reinvest in the region's transportation networks. Here is a [link](#) to the Committee website which has information about the hearing and the witness testimony. In addition to the Senators from the region, Joe Boardman from Amtrak, Joe Lhota from NY MTA, Jim Weinstein from NJ Transit and Patrick Foye from the NY/NJ Port Authority testified.

The House has not yet introduced its Sandy bill and does not seem to be in a big hurry to do so. This is a problem since funding bills must originate in the House.

MAP-21 Implementation

US DOT continues to issue MAP-21 guidance with significantly more to come. FTA alone has 54 actionable items. Recent activity includes:

FHWA and FTA have issued a series of joint FAQs on various MAP-21 provisions including: planning, environmental mitigation under NHPP and STP, integration of planning and NEPA, CMAQ, categorical exclusions, accelerated decision-making in environmental reviews, etc. Here is a [link](#) to the FAQs.

FTA is holding a national on-line dialogue on MAP-21 Transit Asset Management from December 12 to January 4. Here is a [link](#) where you can register to participate.

FHWA has published the National Environmental Policy Act (NEPA) Categorical Exclusion Survey Review Report pursuant to Section 1318 of MAP-21. Here is a [link](#).

On December 4, FTA held a webinar on MAP-21 Apportionment Guidance and Program Funding. Here is [link](#) to a video of the webinar.

US DOT held a webinar on November 28 on the MAP-21 Freight Provisions. Here is a [link](#) to the presentation. In related news, FHWA has announced that Caitlin Hughes Rayman will become the new Director of the Office of Freight Management & Operations. Since October



2007, she has served as the Assistant Secretary for Transportation Policy and Freight at Maryland DOT.

US DOT updated the list of TIFIA Letters of Interest they have received to date which now includes a \$819M bypass in Portsmouth, Ohio, a \$694M second route onto San Padre Island in Texas, a \$371M toll road in Louisiana and \$1M for Southeastern Tour buses. Here is a [link](#) to the full list of pending LOIs.

Congressional Committee Assignments:

The various House and Senate party caucuses continue to make progress on announcing various committee assignments. In the Senate, as previously reported, Senator Jim DeMint (R-SC) is resigning to head up the Heritage Foundation, a conservative think tank. It appears that Senator John Thune (R-SD) will become the Ranking Republican on the Senate Commerce Committee now instead of DeMint. The Committee has jurisdiction over aviation, rail, high-speed rail and transportation safety issues. Thune has been a supporter of rail issues and is considerably less partisan than the extremely fiscally conservative DeMint who voted against MAP-21 and previous surface transportation authorization bills. DeMint had also been holding up the confirmation of Michael Huerta to be FAA Administrator. There is tremendous industry pressure on the Senate to approve Huerta before the end of this Congress.

Senator Barbara Boxer (D-CA) has confirmed she will remain the chair of the EPW Committee despite the possibility of an option to move to another prominent committee. Senator Patty Murray (D-WA) will remain as the chair of the THUD (DOT) Appropriations Subcommittee in addition to becoming the chair of the powerful Senate Budget Committee. The EPW Committee did not add any new Democratic members, but the Banking Committee (transit authorizers) has added Democratic Senators Joe Manchin (D-WV), Elizabeth Warren (D-MA), and Heidi Heitkamp (D-ND). Senator Blumenthal (D-CT) will join the Commerce Committee.

In the House, the Transportation & Infrastructure Committee will increase in size by one member – up to 60 members with the addition of an extra Democrat to reflect the new party ratios following Democratic gains in the 2012 election. Other than the addition of Rep. John Garamendi (D-CA) who was previously forced off the committee in 2010 when the ratios shrunk, no other Democrats have been named to the committee yet, but there are eight additional Democratic vacancies.

On the Republican side, incoming T&I Chairman Bill Shuster announced the names of the 10 new members of the committee – all freshmen with one exception. The new members include: Steve Daines (MT-01), Rodney Davis (IL-13), Thomas Massie (KY-04), Mark Meadows (NC-11),



PB Washington Update

PREPARED BY CATHY CONNOR
MANAGER OF GOVERNMENT AFFAIRS

**PARSONS
BRINCKERHOFF**

Markwayne Mullin (OK-02), Scott Perry (PA-04), Trey Radel (FL-19), Tom Rice (SC-07), Daniel Webster (FL-10), and Roger Williams (TX-25).

The T&I Committee has not yet announced any new subcommittee leadership positions, but a number of new subcommittee leaders are expected to be named. The railroad subcommittee chair is vacant with Mr. Shuster moving up to full committee chair and both Reps. Tom Petri (R-WI) and Jimmy Duncan (R-TN) are termed limited out of their chairmanships (aviation and highway & transit subcommittees, respectively). On the Democratic side, the ranking minority position on the aviation subcommittee is vacant with Rep. Costello's (D-IL) retirement.

House T&I Committee Chair Bill Shuster has announced several key committee staff positions. Chris Bertram will return to the committee from serving as the CFO of US DOT to be the Chief of Staff, Steve Martinko from Shuster's personal staff will be Deputy Chief of Staff, Jennifer Hall will continue as General Counsel and Jim Tymon will continue to be Staff Director of the Highways & Transit Subcommittee and also Special Advisor to Shuster.

House T&I Rail Hearings

In his final act as T&I Committee chairman, John Mica held a series of three hearings on rail issues over the past few weeks. A [hearing](#) on November 28 focused on Amtrak's reorganization and a December 6 [hearing](#) focused on the High-Speed and Intercity Passenger Rail program (HSIPR); the latter hearing included a strong defense of the HSIPR program, especially the California project, by US DOT Secretary Ray LaHood. A final [hearing](#) on opportunities for private sector participation on the Northeast Corridor was held on December 13. See hyperlinks above for details about each hearing, including the witness testimony.