



Washington Update

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**PARSONS
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July 24, 2014

On Wednesday morning, the Senate Democratic leadership was able to get Unanimous Consent (UC) to bring the House-passed Highway Trust Fund (HTF) bail-out bill, HR 5021, directly to the Senate floor for consideration. HR 5021 includes both a short-term extension of the MAP-21 authorization to May 31, 2015 and a transfer of \$10.8B from the General Fund to the HTF. The UC agreement permits debate on four floor amendments. Each amendment and final passage of the bill requires 60 votes. The hope had been that the Senate would immediately begin to debate HR 5021, but instead leadership opted to take up other legislation and consideration of the HTF bill is now likely not occur until Tuesday, July 29. This is three short days before US DOT said it will start to delay and reduce reimbursements to state DOTs for highway expenditures and before the August 1 start of the five-week congressional summer recess.

The first of two amendments that could get the needed 60 votes to pass is an amendment that will be offered by Senators Boxer (D-CA), Carper (D-DE), and Corker (R-TN) to reduce the short-term funding transfer to the HTF from \$10.8B to \$8B and shorten the MAP-21 authorization extension to December 19, 2014 in an effort to keep the pressure on Congress to act on longer-term funding and reauthorization, potentially in a post-election Lame Duck session. This amendment has the support of most of the transportation stakeholder groups. The second amendment will be offered by Senators Wyden (D-OR) and Hatch (R-UT) to substitute the offsets used to pay for the General Fund transfer that were agreed to by the Senate Finance Committee.

It is unlikely that an amendment on devolving the highway and transit programs to the states or an amendment exempting certain emergency projects from federal environmental permitting regulations will be able to garner the 60 votes needed to pass.

If the Senate does not agree to any of the four amendments but does pass the bill, it will go to the President to sign, which he is expected to do. If any of the Senate amendments pass, then the bill goes back to the House for consideration. Given the very short amount of time left before the start of the recess next Friday, it is likely that the House would hold the bill until the last minute, vote to strip out the Senate amendments, and send it back to the Senate where the Senate would be forced to accept the House-passed version or risk a shutdown of the highway and transit programs at the height of the summer construction season.

Other News

- In the July 22 Federal Register, FTA published the list of awardees for the FY'13 and FY'14 Passenger Ferry Grant Program. MAP-21 established a new discretionary Ferry



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Program as a take-down under the Section 5307 Urbanized Area Formula Grants. FTA received 31 proposals from 15 states plus Puerto Rico totaling \$115.8M in response to the August 21, 2013 Notice of Funding Availability (NOFA). FTA has awarded \$59.9M (the total available funding) to 26 projects in 13 states plus Puerto Rico - CA, FL, GA, IL, MA, MD, ME, NJ, NY, PR, RI, TX, VA and WA. The largest grants are \$6M each going to projects in CA, NJ and NY. The smallest grant is \$196K going to a project in RI. Here is a [link](#) to the Federal Register notice with the list of grants awarded.

- Here is a [link](#) to a letter sent to Congress on July 21 by US DOT Secretary Anthony Foxx and 11 former US DOT Secretaries – both Republicans and Democrats. The letter urges Congress to take action soon to find a long-term solution to the HTF solvency crisis and to increase investment in transportation.
- This morning, the Senate voted by voice vote to confirm the nominations of Victor Mendez to be US DOT Deputy Secretary and Peter Rogoff to be US DOT Undersecretary for Policy. Both have been acting in those roles for a number of months. Mendez was previously FHWA Administrator and Rogoff was FTA Administrator. The White House will now be able to nominate candidates for FHWA and FTA Administrators, but in the meantime, the modal Deputies – Greg Nadeau and Therese McMillan respectively - will continue in their acting roles.