

Parsons Brinckerhoff Washington Update - July 28, 2015 - Interim Update

In the past 24 hours, several significant things have occurred that could favorably impact passage of a long-term surface transportation reauthorization bill:

- The Senate voted at around 11:00pm last night to approve cloture and begin debate on the DRIVE Act, the “six”-year highway/transit/rail authorization bill, by a vote of 62 to 32 (60 votes were needed). Here is a [link](#) to see how Senators voted. While the DRIVE Act authorizes six years of policies and programs, it provides only three years of funding – FY’16 to FY’18. A vote on final passage of the DRIVE Act is expected to occur sometime on Thursday. It will require only a simple majority. Given the 62 votes for cloture, it is likely there are enough votes for final passage.
- The Senate also voted last night to attach the Export Import Bank reauthorization bill to the DRIVE Act. This move is expected to attract additional Democrats to vote for the DRIVE Act, but it may also drive away some conservative Republican votes.
- Senate Majority Leader Mitch McConnell (R-KY) filed yet another “Manager’s Amendment” with more changes to the DRIVE Act agreed to by leadership. With limited opportunities to offer floor amendments, most changes to the bill, as well as deals cut to gain votes, are being negotiated behind the scenes and included in a series of en bloc Manager’s Amendments. Here is a [link](#) to the latest, amended version of the DRIVE Act (ignore the first paragraph regarding the IRS). Additional changes and approved floor amendments are likely.
- In the House, Republican leaders introduced a new short-term bill that would extend the existing MAP-21 authorization for three months through October 29, 2015 – as opposed to the five-month short-term bill they previously passed which extends through December 18, 2015. The new three-month bill is being attached to a pending Veterans bill and is expected to come to the House floor for a vote as early as tomorrow. Here is a [link](#) to a statement of support for the October extension issued by House T&I Committee Chairman Bill Shuster (R-PA). The new three-month bill is funded using the same \$8B General Fund transfer and “payfors” as the five-month bill.
- House Majority Leader Kevin McCarthy (R-CA) announced this morning that the House will adjourn for the August recess even earlier than planned – now on Wednesday afternoon, making it logistically impossible for the House to consider the Senate’s DRIVE Act bill before they adjourn.
- As a result, the Senate has essentially two choices in order to avoid a shutdown of the highway and transit programs on July 31 – quickly pass the House’s five-month extension or pass the House’s three-month extension. It is expected the Senate will go with the shorter extension in order to keep the pressure on the House to negotiate a multi-year bill this fall.
- The Senate is then expected to continue to work on and potentially pass the DRIVE Act next week before they leave town on August 7. That would set up a House-Senate conference on the DRIVE Act in September/October during which a final, multi-year bill could be negotiated – if all goes well.
- Here is a [link](#) to a good overview of the transit title of the DRIVE Act prepared by APTA.