

PB Washington Update - March 30, 2012 - Interim Update

This morning President Obama signed into law a 90-day extension of the surface transportation programs. On March 29, the US House voted to pass a 90-day extension of the surface transportation programs by a vote of 266 to 158. Unlike previous attempts earlier in the week to pass a short-term bill which required a 2/3 vote, this bill was brought up under regular order and only required 218 votes – a simple majority. Thirty-five Democrats joined all but 10 Republicans in voting for the bill despite previous threats by Democratic leaders that no Democrats would support the bill. The bill is “clean” meaning it does not include any policy or funding changes from current law. It will extend the highway and transit programs through June 30, 2012 while the House continues to try to pass its version of a multi-year bill.

Shortly after House passage, the Senate approved the 90-day extension under Unanimous Consent, a process that does not permit any debate or amendments, but does require unanimous support. .

When the House and Senate return to session on April 16, they will continue to try to pass a longer term bill. The Senate has already passed MAP-21 (S. 1813), a two-year bill. The House continues to struggle to find the necessary funding offsets and the votes to pass its five-year bill, HR 7. The House can either pass HR 7, or amend and pass the Senate bill instead (now introduced in the House as HR 14), or pass a resolution allowing them to skip a floor vote and go directly to conference with the Senate – a highly unusual move. The first option may not be doable and the second two options are not very appealing to House Republican leaders who do not want to appear to be capitulating to the Senate.

Additional implications of another short-term extension include:

- as of June 30, the Senate two-year MAP-21 bill becomes really only a 15-month bill (extending through the remainder of FY'12 and FY'13) - not much longer than some past extension bills.
- June 30 is likely the last date prior to the November elections that Congress can realistically complete a multi-year bill. After that point, the various summer recesses begin followed by an early adjournment to campaign for the November elections.
- the longer the extensions last without any addition of new revenue into the Highway Trust Fund, the larger the deficit in the Trust Fund keeps getting.