

PB Washington Update - June 5, 2012 - Interim Update

Both the House and Senate are in session this week for the first time in over two weeks. The hope had been that this would be the week that it would all come together for the surface transportation reauthorization bill. Conference Chairman Barbara Boxer (D-CA) had set an informal goal of June 7 to finalize the policy and funding issues which would allow sufficient time to complete the final drafting, have the House and Senate each pass the final conference report/bill and get it to the President's desk by June 30, 2012, the day the current short-term extension expires. However, over the past week the process appears to be breaking down.

For a while the conference process seemed to be moving along, albeit slowly. However, last week there were several communication breakdowns between House and Senate conferees which have led many observers to start to doubt whether a bill can be passed by June 30 or at all this year. Things started to unravel last week, while the House was on recess, over anonymous quotes from Republican House conferees that Chairman Boxer was "stonewalling" the House over environmental streamlining provisions, a claim Boxer strongly denied, and Boxer's claim that the House Republican leadership was not making the bill a priority since House Majority Leader Eric Cantor (R-VA) did not include any mention of the surface transportation bill in his agenda for the summer floor schedule, which Cantor's staff says was simply an omission. Rumors of a potential Senate "draft bill", which House Republicans have not been privy to, has created more unrest.

While the misunderstandings may all get resolved and feelings soothed now that everyone is back in town, time is running out. The House will be on recess again the week of June 11.

In addition, Rep. Paul Broun (R-GA), a freshman who is not a conferee, plans to offer a non-binding motion on the House floor to limit funding in the reauthorization bill to only what the Highway Trust Fund receipts can pay for. The motion is unlikely to pass, but if it did it would severely cut the highway and transit funding levels in the bill. However, simply offering the motion is a reminder that there are some fiscal conservatives who would rather see the bill die than support additional funding.

The staffs of the House and Senate conferees continue to work behind the scenes to sort out the differences in the two bills. However, to date, they have primarily reconciled only the least controversial issues. There has been no word on how the conferees plan to resolve the more contentious issues such as environmental streamlining, Transportation Enhancements, funding/pay fors, Keystone XL Pipeline, coal ash, etc. in the next two to three weeks.

Several new documents related to the surface transportation conference have been posted on the PB Transportation Update website at www.PBTransportationUpdate.com. They include a list of the conferees and letters from many industry groups, such as APTA, AASHTO, ACEC, ATA, etc. stating their positions on various conference issues. Click on "Surface Transportation Authorization", then scroll down to "Conference".

FY'13 DOT Appropriations – The House THUD (DOT) Appropriations Subcommittee has scheduled a markup of the FY'13 DOT funding bill for Thursday, June 7. The full Senate Appropriations Committee previously approved the DOT bill.